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# NEW YORK STATE **REGISTER**

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

***For notices published in this issue:***

- the 60-day period expires on March 28, 2021
- the 45-day period expires on March 13, 2021
- the 30-day period expires on February 26, 2021

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**NEW YORK STATE DEPARTMENT OF STATE**

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# NEW YORK STATE REGISTER

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## Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* ([www.dos.ny.gov](http://www.dos.ny.gov)) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration of the public comment period.

The Administrative Regulations Review Commission (ARRC) reviews newly proposed regulations to examine issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission  
State Capitol  
Albany, NY 12247  
Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

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Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website ([www.dos.ny.gov](http://www.dos.ny.gov))

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# RULE MAKING ACTIVITIES

Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

AAM        -the abbreviation to identify the adopting agency  
01        -the *State Register* issue number  
96        -the year  
00001     -the Department of State number, assigned upon receipt of notice.  
E        -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

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## Office of Alcoholism and Substance Abuse Services

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### NOTICE OF ADOPTION

#### General Service Standards Applicable to Outpatient Substance Use Disorder Programs

**I.D. No.** ASA-19-20-00001-A

**Filing No.** 10

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-27

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of Part 822 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 19.07(c), (e), 19.09(b), 19.16, 19.21(b), 19.40, 22.07(c), 32.01, 32.05(b), 32.07(a), 32.09(b); Penal Law, section 220.78; Public Health Law, sections 2781 and 3309; 42 CFR, part 8

**Subject:** General service standards applicable to outpatient substance use disorder programs.

**Purpose:** To set-forth the minimum regulatory requirements for certified outpatient substance use disorder treatment programs.

**Text of final rule:** The adopted rule amends Part 822 as follows:

§ 822.7 General program standards. Additional clarity on certified capacity exclusions.

§ 822.8 Patient/records/treatment planning. Language consistency.

§ 822.11 Additional requirements for opioid treatment programs. Clarity on federal time-in-treatment rules.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in sections 822.7(a)(9), 822.8(b)(4) and 822.11(c)(2).

*Revised rule making(s) were previously published in the State Register on November 4, 2020.*

*Text of rule and any required statements and analyses may be obtained from:* Carmelita Cruz, NYS OASAS, 1450 Western Avenue, Albany, NY 12203, (518) 605-8323, email: [carmelita.cruz@oasas.ny.gov](mailto:carmelita.cruz@oasas.ny.gov)

#### **Revised Regulatory Impact Statement**

OASAS has determined that the revisions to the adopted rule do not require an updated Regulatory Impact Statement as the changes were made for clarity and consistency and do not substantially alter the rule.

#### **Revised Regulatory Flexibility Analysis**

OASAS has determined that the revisions to the adopted rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments because there are no new or additional requirements for professional staff employed in these programs and edits are made for clarity and consistency only.

#### **Revised Rural Area Flexibility Analysis**

OASAS has determined that the revisions to the Adopted rule will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas because the changes do not alter the services that will be delivered by the professional staff employed in these programs and are made for clarity and consistency.

#### **Revised Job Impact Statement**

OASAS is not submitting a Job Impact Statement for the revisions to this Adoption rulemaking. OASAS does not anticipate a substantial adverse impact on jobs and employment opportunities because the requirements for service delivery do not alter responsibilities of the professional staff employed by these programs and are made for clarity and consistency only.

#### **Initial Review of Rule**

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

#### **Assessment of Public Comment**

1. OASAS received various recommendations on simple language and grammatical edits which may or may not be incorporated into the final regulation.

2. OASAS provider requested additional time for the provision of outpatient rehabilitation services. Note that the minimum hour duration stated in the regulation is a minimum requirement, not a maximum requirement.

3. Providers requested clarification on who may sign off on an admission assessment and the timeframe in which sign off must occur. Additional guidance will be issued by the Addiction Treatment and Recovery Bureau.

4. Providers identified issues with current regulatory language regarding a providers inability to discriminate against patients for admission purposes based on previous behavioral problems or non-payment during the previous treatment year. No provider may deny treatment based on an individual's inability to pay (MHY § 25.17). For patients that exhibit behavioral problems, programs are expected to make every effort to connect the patient with a program that has the ability to address the patient's unique needs.

5. Programs inquired about other physicians' ability to review and approve take-home medication in an OTP setting. Per federal regulations all OTP staff may convey information relevant to determining unsupervised medication use to the medical director for consideration in determining appropriate dosage and management decisions.

6. Providers requested additional clarity for OTP census exclusions. Additional clarity provided.

7. Is the intent for all OTPs to be considered an OASAS Part 822 outpatient program, similar to the previously named Part 822 chemical dependence program, such that they may admit significant others? Yes.

8. Providers requested additional information added to the regulation regarding the type of nurse that must be on-site vs on-call when medication is administered in an OTP setting and under what circumstances reporting to pharmacy must occur. Such information will be provided in guidance.

9. Providers requested additional clarification be added that federal criteria regarding time in treatment for take-home medication are not applicable to provision of buprenorphine or naltrexone in OTP settings. Additional clarity provided.

## State Commission of Correction

### PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

#### Ratio of Toilet, Sink, Shower Per Youth in Specialized Secured Detention Facility for Older Youth

I.D. No. CMC-04-21-00002-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** Amendment of section 7320.4(c) of Title 9 NYCRR.

**Statutory authority:** Correction Law, section 45(6) and (15)

**Subject:** Ratio of toilet, sink, shower per youth in Specialized Secured Detention Facility for Older Youth.

**Purpose:** Amend the ratio of toilet, sink, and shower to coincide with Office of Children and Family Services regulations.

**Text of proposed rule:** Subdivision (c) of section 7320.4 of Title 9 NYCRR is amended to read as follows:

(c) At least one functioning toilet, sink and shower shall be available for every [6] 8 youth contained within a living unit.

**Text of proposed rule and any required statements and analyses may be obtained from:** Deborah Slack-Bean, New York State Commission of Correction, 80 S. Swan Street, 12th Floor, Albany, NY 12210, (518) 485-2346, email: Deborah.Slack-Bean@scoc.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** 60 days after publication of this notice.

#### Regulatory Impact Statement

##### 1. Statutory authority:

Subsection (6) of section 45 of the Correction Law authorizes the Commission to promulgate rules and regulations establishing minimum standards for the care, custody, correction, treatment, supervision, discipline, and other correctional programs for all person confined in the correctional facilities of New York State. Subdivision (15) of section 45 of the Correction Law allows the Commission to adopt, amend or rescind such rules and regulations as may be necessary or convenient to the performance of its functions, powers and duties.

##### 2. Legislative objectives:

By including specialized secure detention facilities for older youth within the Correction Law section 40(2) definition of "local correctional facility," the Legislature intended the Commission to promulgate and maintain regulations for the management of such facilities.

##### 3. Needs and benefits:

On April 10, 2017, Governor Cuomo signed into law what is commonly known as "Raise the Age" legislation (Part WWW of Chapter 59 of the Laws of 2017), which generally serves to prohibit the detention of 16 and 17 year olds in adult jails and prisons, makes substantive changes to the procedures and mechanisms used to process 16 and 17 year old offenders in the criminal and youth justice systems, and allows for additional services for youth and alters the types of detention and/or placement they may receive.

Specifically, the legislation creates a new category of offender, known as an "adolescent offender," defined as a person 16 years old (effective October 1, 2018) or 17 years old (effective October 1, 2019) at the time such person is alleged to have committed a felony offense. While an adolescent offender's case is adjudicated in the Youth Part Court, he or she

may be detained in the specialized secure juvenile detention facilities for older youth (SSDs). All SSDs statewide are required to be certified and regulated by OCFS in conjunction with the Commission. Additionally, SSDs were included in the Correction Law § 40(2) definition of "local correctional facility," necessitating that the Commission promulgate minimum standard regulations for such facilities pursuant to Correction Law § 45(6).

Upon initial promulgation, the regulations required a greater number of toilets, sinks and showers per youth than what was required in the corresponding OCFS regulations. Since initial certification, facilities have been operating, without issue, at the lower ratio of fixtures via Commission-issued variance. This proposed rulemaking is necessary to ensure that the Commission regulations coincide with those regulations that were promulgated by OCFS.

##### 4. Costs:

a. Costs to regulated parties for the implementation of and continuing compliance with the rule: None. As the Specialized Secured Detention Facilities for Older Youth's toilet, sink and shower to youth ratios were already established by regulations promulgated by the Office of Children and Family Services. This amendment is to ensure that both the State Commission of Correction and the Office of Children and Family Services' regulations are consistent.

b. Costs to the agency, the State and local governments for the implementation and continuation of the rule: None. The regulation does not apply to state agencies or governmental bodies. As set forth above in subdivision (a), there would not be any additional costs to local governments.

c. This statement detailing the projected costs of the rule is based upon the Commission's oversight and experience relative to the operation and function of local correctional facilities.

##### 5. Local government mandates:

The rule does not require any additional local government mandates.

##### 6. Paperwork:

The rule does not require any additional paperwork on regulated parties.

##### 7. Duplication:

The rule does not duplicate any existing State or Federal requirement.

##### 8. Alternatives:

There were no significant alternatives to this rule, as the Office of Children and Family Services' regulations presently require a toilet, sink and shower to youth ratio of one (1) to eight (8).

##### 9. Federal standards:

There are no applicable minimum standards of the federal government.

##### 10. Compliance schedule:

Each local jurisdiction would already be in compliance with the proposed rule.

#### Regulatory Flexibility Analysis

A regulatory flexibility analysis is not required pursuant to subdivision three of section 202-b of the State Administrative Procedure Act because the rule does not impose an adverse economic impact on small businesses or local governments. The proposed rule seeks only to amend the toilet, sink and shower to youth ratio within a Specialized Secure Juvenile Detention Facility for Older Youth, in order to coincide with Office of Children and Family Services regulations that were in effect prior to the enactment of this regulation. Consequently, it will not have an adverse impact on small businesses or local governments, nor impose any additional significant reporting, record keeping, or other compliance requirements on small businesses or local governments.

#### Rural Area Flexibility Analysis

A rural area flexibility analysis is not required pursuant to subdivision four of section 202-bb of the State Administrative Procedure Act because the rule does not impose an adverse impact on rural areas. The proposed rule seeks only to amend the toilet, sink and shower to youth ratio within a Specialized Secure Juvenile Detention Facility for Older Youth, in order to coincide with Office of Children and Family Services regulations that were in effect prior to the enactment of this regulation. Consequently, it will not impose an adverse economic impact on rural areas, nor impose any additional significant record keeping, reporting, or other compliance requirements on private or public entities in rural areas.

#### Job Impact Statement

A job impact statement is not required pursuant to subdivision two of section 201-a of the State Administrative Procedure Act because the rule will not have a substantial adverse impact on jobs and employment opportunities, as apparent from its nature and purpose. The proposed rule seeks only to amend the number of toilet, sink and shower per youth ratio required in a Specialized Secured Juvenile Detention Facility for Older Youth housing unit. As such, there will be no impact on jobs and employment opportunities.

## Education Department

### EMERGENCY RULE MAKING

#### Addressing the COVID-19 Crisis

**I.D. No.** EDU-16-20-00002-E

**Filing No.** 12

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-1.5, 80-1.13, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20, 275.8; addition of section 279.5 to Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 112, 207, 208, 215, 301, 305, 310, 311, 1704, 1709, 2117, 2651, 2852, 2854, 2856, 3001, 3001-d, 3003, 3004, 3004-c, 3009, 3035, 3204, 3205, 3210, 3212, 3214, 3602, 3602-c, 3602-e, 3604, 3713, 4402, 4403, 4404, 4410, 6501, 6504, 6506, 6507, 7404, 7904, 7904-a and 8206

**Finding of necessity for emergency rule:** Preservation of public health and general welfare.

**Specific reasons underlying the finding of necessity:** On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the school year and summer school and directing nonessential work personnel to work from home. In response, the Department adopted emergency regulations at each Board of Regents meeting since the April 2020 meeting to address numerous issues resulting from the interruptions caused by the COVID-19 Crisis. The Department originally presented this proposed amendment to the Full Board for adoption as an emergency action at its April 2020 meeting, effective April 7, to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. At the May, June, July, September, October, and November 2020 Board of Regents meetings, the Department revised the proposed emergency regulation to provide clarification and additional flexibility for regulatory requirements in response to the COVID-19 crisis. The proposed amendment provides regulatory flexibility related to the following:

- Instructional day and hour requirements;
- The service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310;
- Charter school lotteries, reporting requirements, and payments by public school districts to charter schools;
- Annual visits to nonpublic nursery schools and kindergartens by Department staff;
- Annual assessments for homeschool students;
- Continuous experience requirements for certain professions;
- Examination timeframe requirements for Public Accounting applicants;
- Educational program requirements for licensure in a profession under Title VII of the Education Law;
- In-person supervision experience requirements for certain professions;
- Filing and submission timelines for Part 83 and Part 87 appeals to the Commissioner;
- The definition of the term “prospective school employee;”
- Certain procedures and timeframes for special education due process hearings;
- Timeframes related to special education programs and services;
- Filings with the Office of State Review;
- Certain timelines relating to bilingual education;
- English language learners’ annual assessment;
- Unit of study requirements;
- Required Dignity for All Students Act (DASA) training;
- Teacher performance assessments (edTPA);

- Statement of continued eligibility (SOCE) and limited extension application deadline and special education full-time teaching experience deadline; and

- School and district accountability.

Because the Board of Regents meets at scheduled intervals, the earliest the proposed amendment could be presented for regular (nonemergency) adoption, after publication in the State Register and expiration of the 45-day public comment period required in the State Administrative Procedure Act (SAPA) section 201(4-a), is the February 2021 Regents meeting. However, because the COVID-19 crisis is presently affecting the State of New York, emergency action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to ensure that the emergency action taken at the November meeting remains continuously in effect.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the February 2021 Regents meeting, which is the first scheduled meeting after the 45-day public comment period prescribed in SAPA for State agency rule makings.

**Subject:** Addressing the COVID-19 Crisis.

**Purpose:** To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

**Substance of emergency rule (Full text is posted at the following State website: <http://www.counsel.nysed.gov/rulesandregs>):** On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency. On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Therefore, it is necessary for the Department to adopt emergency regulations to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The proposed revisions are summarized as follows:

- State Aid
  - o Permits public school districts, public schools and charter schools to operate for less than 180 days during the 10 month school year for any school day that is closed pursuant to an Executive Order for the COVID-19 crisis and waived from the 180-day requirement pursuant to the terms of such Executive Order(s).
  - o Provides a waiver from the annual instructional hour requirement for the 2019-20 and 2020-21 school years if a school district is unable to meet such requirement due to an Executive Order(s) of the Governor pursuant to the State of emergency declared for the COVID-19 crisis, or pursuant to Education Law § 3604(8), or due to reopening procedures implemented as a result of the COVID-19 crisis, provided that the district meets certain prescribed requirements.
- 310 Appeals to the Commissioner
  - o Permits service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310 by alternative means during the State of Emergency declared by the Governor pursuant to an Executive Order regarding the COVID-19 crisis.
- Charter Schools
  - o Permits the Commissioner to excuse delays in required reporting by charter schools to public schools for the length of time of a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis, provided such delay does not exceed 30 days. When there is a delay in reporting by a charter school, the amendments also permit the Commissioner to excuse any delay in payment by a public school to a charter school, provided such delay does not exceed 30 days.
  - o Requires charter schools to provide notice on their website of the date, time and place of lotteries for the random selection process for charter school student applicants if such lottery is provided during a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis. Additionally, the amendments permit such lotteries to be held remotely, provided that the public has the opportunity to view or listen and such lottery is recorded and later transcribed.
- Early Learning
  - o Permits prekindergarten programs to operate for less than the 180-day and 90-day requirements where such programs were scheduled to operate, but the school where such program operates is closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis.
  - o Permits Department staff who are unable to conduct their annual visit of nonpublic nursery schools and kindergartens in the 2019-20 and/or 2020-21 school year due to the COVID-19 crisis, to conduct such annual visit as soon as practicable.
- Home Instruction
  - o Provides that home instruction programs shall be exempt from the annual assessment and alternative evaluation requirements for the 2019-20



school year where a student otherwise achieves the learning outcomes in accordance with their individualized home instruction plan (IHIP).

- Professions
  - o Allows the Department to excuse the continuous experience requirements for speech language pathology, audiology, and occupational therapy where such continuous experience cannot be completed due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
  - o Allows the Department to accept passing examination scores from Public Accounting applicants that are outside the required 18 month examination window where such examinations cannot be completed within 18 months due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
  - o Allows the Department to modify professional educational program requirements for licensure, to the extent authorized by law, if such requirements cannot be successfully completed due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
  - o Grants an exemption for in person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis if such in person supervision cannot be completed due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
- Part 83 and Part 87 Appeals
  - o Permits the Commissioner to excuse the filing timeframes prescribed in such section relating to appeals to the Commissioner of a hearing officer's determination of good moral character where such late filings are due to the State of emergency declared by the Governor pursuant to the an Executive Order for the COVID-19 crisis.
  - o Permits: (i) the Department to excuse late submissions relating to due process procedures for prospective employees' clearance for employment; and (ii) the Commissioner's designee to excuse late submissions relating to appeals of the Department's determination to deny prospective school employees' clearance for employment where such submissions are late due to the State of emergency declared by the Governor pursuant to the an Executive Order for the COVID-19 crisis.
  - o Adds to the definition of "prospective school employee" any individual who will reasonably be expected to provide services which involve online communication or interaction directly to students under the age of 21 during the period of a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis.
- Special Education
  - o Ensures that State approved private schools, State operated schools, Special Act School Districts, State supported schools and preschools to operate for less than 180 days during the 10 month school year for any school day that is closed pursuant to an Executive Order for the COVID-19 crisis and waived from the 180-day requirement pursuant to the terms of such Executive Order(s).
  - o Allows impartial hearing officers to conduct special education due process hearings by video conference during the COVID-19 crisis.
  - o Allows hearing officers to extend cases up to 60 days rather than 30 days during the State of emergency declared by the Governor for the COVID-19 crisis. This allows Impartial Hearing Officers better flexibility while school witnesses, administrators and parents are unavailable to partake in due process hearings.
  - o Requires preschool providers to make-up missed services within 30 days of the missed session. The proposed amendment will not include days that the school is closed pursuant to an Executive Order of the Governor issued pursuant to a State of emergency for the COVID-19 crisis.
  - o Extends the time period to arrange for special education programs and services to be provided to a student with a disability from 60 school days of receipt of consent to evaluate so that the 60 days will not include any days(s) that such school is closed pursuant to an Executive order issued by the Governor pursuant to a State of emergency for COVID-19. As well, 30 school days will be extended for arranging an approved non-public school placement.
- Office of State Review
  - o Provides that a State Review Officer may authorize certain filings through electronic means during the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
- Bilingual Education
  - o Provides that any day(s) where a school is closed pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis and any day(s) where a school or local educational agency central office, where such office is responsible for implementing and completing the English Language Learner (ELL) identification process, has temporarily shifted from in-person or hybrid instruction to full remote instruction due to and increase in COVID-19 cases do not count

towards the following timelines: English language learner identification process timeline; parental notification and information timeline, and the English as a New Language/Bilingual Education placement timeline.

- o Provides an exemption to students from the unit of study requirements for the 2019-2020 school year where a student is unable to meet such requirements due to schools being closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis and where such student otherwise achieves the learning outcomes for such course of study.
  - o Provides that for the 2019-2020 school year, there will be no English language learner annual assessment due to such assessment being suspended as result of the COVID-19 crisis.
  - Curriculum and Instruction
    - o Provides an exemption to students from the unit of study requirements for the 2019-2020 school year where a student is unable to meet such requirements due to schools being closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis and where such student otherwise achieves the learning outcomes of such portion of unity of study completed.
  - Higher Education
    - o Permits the Dignity for All Students Act (DASA) training to be conducted entirely online during the time period of the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
    - o Creates an edTPA safety net for: (i) candidates in registered educator preparation programs (EPPs) in the Spring 2020 or Summer 2020 terms, who completed a student teaching or similar clinical experience during the Spring 2020 or Summer 2020 terms; (ii) candidates who complete a student teaching or similar clinical experience during the 2020-2021 academic year while enrolled in a New York State registered teacher preparation program; (iii) candidates who complete a student teaching experience during the 2020-2021 academic year while enrolled in an acceptable out-of-state teacher preparation program; or (iv) candidates who complete the teaching experience requirement for certification through the individual evaluation pathway during the 2020-2021 academic year and could not complete their teacher performance assessment as a result of the COVID-19 crisis. These candidates would be able to take and pass either the ATS-W or edTPA. Eligible candidates who choose to take the edTPA but do not pass it, could take and pass the ATS-W, or pursue the edTPA Multiple Measures Review Process (MMRP), if they qualify.
    - o Extends the SOCE application deadline from June 30, 2020 to June 30, 2021 so that school districts have time to identify staff who are eligible for the SOCE, inform them about the application process and any supports provided, and submit the materials needed for applications since school districts are losing time during the COVID-19 crisis as the SOCE deadline approaches.
    - o For the SOCE and limited extension, special education teachers must complete their satisfactory full-time teaching experience, while being considered Highly Qualified through passing a HOUSSE rubric in the subject area, prior to June 30, 2020. The Department is proposing to extend the time period by which the experience must be completed to June 30, 2021, giving teachers the opportunity to gain more full-time satisfactory teaching experience for the SOCE or limited extension as they are losing time to do so during the COVID-19 crisis.
  - Accountability
    - o The federal government has approved the Department's application for a one-year waiver from provisions of the Every Student Succeeds Act (ESSA) pertaining to State assessments and school and district accountability determinations due to the unique circumstances that have arisen as a result of the COVID-19 crisis. Therefore, the Department is proposing to provide that the Commissioner shall not conduct a review of school and district performance using 2019-2020 school year result, the accountability status of public schools and districts for the 2020-2021 school year shall be the same as for the 2019-2020 school year, and the 2018-2019 school year results shall be used in any instance for which 2019-2020 school year results would have been used as part of the process of making 2021-2022 school year accountability determinations. Additionally, the Commissioner may, upon a finding of good cause, modify for the 2019-2020 through 2021-2022 school years any timelines pertaining to notifications, plans, reports, or implementation of activities required by such section.
- This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-16-20-00002-EP, Issue of April 22, 2020. The emergency rule will expire March 12, 2021.
- Text of rule and any required statements and analyses may be obtained from:** Kirti Goswami, Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY, (518) 474-6400, email: [legal@nysed.gov](mailto:legal@nysed.gov)

**Regulatory Impact Statement****1. STATUTORY AUTHORITY:**

Education Law § 101 continues existence of Education Department, with Board of Regents as its head, and authorizes Regents to appoint Commissioner of Education as Department's Chief Administrative Officer, which is charged with general management and supervision of all public schools and educational work of State.

Education Law § 112 provides that the State Education Department shall establish and enforce standards of instruction, personnel qualifications and other requirements for education services or programs with respect to the individual requirements of children who are in full-time residential care in facilities or homes operated or supervised by any state department or agency or political subdivision.

Education Law § 207 empowers Regents and Commissioner to adopt rules and regulations to carry out State education laws and functions and duties conferred on the Department.

Education Law § 208 empowers the Regents to confer by diploma honorary degrees as they deem proper, establish examinations and award and confer suitable certificates, diplomas and degrees on persons who meet the prescribed requirements for such.

Education Law § 212 permits the Department to charge fees for the issuance of a qualifying certificate for admission to a professional school.

Education Law § 301 continues the office of the Commissioner of Education.

Education Law § 305 establishes the general powers and duties of the Commissioner of Education.

Education Law § 310 permits any party considering themselves aggrieved by an action taken at a school district meeting or by school authorities may appeal to the Commissioner of Education for review of such action.

Education Law § 311 enumerates the powers of the Commissioner in reference to appeals, petitions and proceedings.

Education Law § 1704 prohibits school districts from expending funds at a rate which will exhaust the amount appropriated prior to the conclusion of the period or the completion of the purpose for which such funds were appropriated.

Education Law § 1709 enumerates the powers and duties of boards of education of union free school districts.

Education Law § 2117 requires school authorities of each school district to make a full report to the Commissioner upon any matter relating to their schools whenever such report shall be required by the Commissioner.

Education Law § 2851 relates to eligible applicants, applications, and submission of such applications to charter schools.

Education Law § 2852 prescribes the requirements for the issuance of a charter.

Education Law § 2854 prescribes the general requirements for charter schools.

Education Law § 2856 provides that the school district of residence shall pay directly to a charter school for each student enrolled in the charter school who resides in the school district the charter basic tuition.

Education Law § 3001 prescribes the qualifications of teachers.

Education Law § 3001-d provides that any nonpublic or private school may require, for the purposes of a criminal history record check, the fingerprinting of all prospective employees, who do not hold valid clearance pursuant to Education Law §§ 3035, 3004-b, 509-cc, or Vehicle and Traffic Law § 1209-d. Additionally, such schools may conditionally appoint a prospective employee.

Education Law § 3003 prescribes the qualifications of superintendents.

Education Law § 3004 directs the Commissioner of Education to prescribe regulations governing the examination and certification of teachers employed in all public schools of the State.

Education Law § 3004-c provides that when an applicant for a teaching certification is denied, the applicant shall be afforded notice and the right to be heard an offer proof in opposition to such determination in accordance with the regulations of the Commissioner of Education.

Education Law § 3009 provides that unqualified teachers shall not be paid from school moneys.

Education Law § 3035 requires the Commissioner of Education to submit to the division of criminal justice services fingerprints of prospective employees and after receipt of a criminal history record, shall promptly notify the school whether the prospective employee is cleared for employment based upon his or her criminal history.

Education Law § 3204 provides that a minor required to attend upon instruction may attend at a public school or elsewhere.

Education Law § 3205 provides that each minor from six to sixteen years of age in each school district or on an Indian reservation shall attend upon full time instruction.

Education Law § 3210 prescribes the amount and character of required attendance.

Education Law § 3212 defines persons in parental relation and their duties and duties of certain other persons.

Education Law § 3214 prescribes procedures and requirements for student placement, suspensions and transfers.

Education Law § 3602 provides for the apportionment of public moneys to school districts employing eight or more teachers.

Education Law § 3602-c provides for the apportionment of moneys to school district for the provision of services to pupils attending nonpublic schools.

Education Law § 3602-e authorizes and directs the Commissioner of Education to award grants for the establishment and implementation of a prekindergarten program to serve eligible children.

Education Law § 3604 enumerates conditions under which districts are entitled to the apportionment of state funds.

Education Law § 3713 authorizes and empowers the state, any school district or its trustees or board of education to accept funds appropriated by the federal government for educational purposes.

Education Law § 4402 establishes school district duties for the education of students with disabilities.

Education Law § 4403 outlines the Department's responsibilities regarding special education programs and services to students with disabilities. Section 4403(3) authorizes the Department to adopt regulations as the Commissioner deems in their best interest.

Education Law § 4404 establishes the appeal procedures for students with disabilities. Subdivision (1) authorizes and requires the Commissioner to promulgate regulations relating to the qualifications, procedures and timelines for impartial hearings, as well as procedures for the suspension or revocation of impartial hearing officer certification for good cause.

Education Law § 4410(7) provides that a parent may file a written request with the board of education for an impartial hearing with respect to any matter relating to the identification, evaluation or educational placement of, or provision of a free appropriate public education to preschool students with disabilities. Subdivision (14) authorizes the Commissioner to adopt regulations to implement the such statute.

Education Law § 6501 provides that the admission to practice of a profession in New York State is accomplished by a license being issued to a qualified applicant by the Department.

Education Law § 6504 authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Education Law § 6506 requires the Board of Regents to supervise the admission to the practice of the professions.

Education Law § 6507 requires the Commissioner and the Department to administer the admission to and the practice of the professions.

Education Law § 7404 enumerates the requirements for licensure as a certified public accountant.

Education Law § 7904 enumerates the requirements for licensure as an occupational therapist.

Education Law § 7904-a enumerates the requirements for licensure as an occupational therapy assistant.

Education Law § 8206 enumerates the requirements for licensure as a speech-language pathologist and audiologist.

**2. LEGISLATIVE OBJECTIVES:**

The proposed amendments are consistent with the above statutory authority and are necessary to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The purpose of the proposed amendment is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

**3. NEEDS AND BENEFITS:**

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis including orders directing the closure of schools, directing non-essential work personnel to work from home, and directing non-essential gatherings of individuals of any size for any reason to be canceled or postponed. As a result, it is necessary for the Department to adopt emergency regulations to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Instructional day and hour requirements;
- The service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310;
- Charter school lotteries, reporting requirements, and payments by public school districts to Charter schools;
- Annual visits to nonpublic nursery schools and kindergartens by Department staff;
- Annual assessments for homeschool students;
- Continuous experience requirements for certain professions;
- Examination timeframe requirements for Public Accounting applicants;

- Educational program requirements for licensure in a profession under Title VII of the Education Law;
- In person supervision experience requirements for certain professions;
- Filing and submission timelines for Part 83 and Part 87 appeals to the Commissioner;
- The definition of the term “prospective school employee”;
- Certain procedures and timeframes for special education due process hearings;
- Timeframes related to special education programs and services;
- Filings with the Office of State Review;
- Certain timelines relating to Bilingual education;
- English language learners’ annual assessment;
- Unit of study requirements;
- Required Dignity for All Students Act (DASA) training;
- Teacher performance assessments (edTPA);
- Statement of continued eligibility (SOCE) and limited extension application deadline, and special education full-time teaching experience deadline; and
- School and district accountability.

#### 4. COSTS:

- a. Costs to State government: The amendments do not impose any costs on State government.
- b. Costs to local government: The amendments do not impose any costs on local government.
- c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.
- d. (d) Cost to the regulatory agency: There are no additional costs to the State Education Department.

#### 5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government.

#### 6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements.

#### 7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

#### 8. ALTERNATIVES:

The proposed amendments are necessary to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. There are no significant alternatives to the proposed amendment and none were considered.

#### 9. FEDERAL STANDARDS:

There are no applicable Federal standards.

#### 10. COMPLIANCE SCHEDULE:

It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

### **Regulatory Flexibility Analysis**

#### (a) Small businesses:

The proposed rule relates to providing flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendments do not impose any adverse economic impact, reporting, recordkeeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amendments that they do not affect small businesses, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

#### (b) Local governments:

##### 1. EFFECT OF RULE:

The purpose of the proposed amendments is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendments apply to each of the 695 public school districts in the State.

##### 2. COMPLIANCE REQUIREMENTS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis including orders directing the closure of schools, directing non-essential work personnel to work from home, and directing non-essential gatherings of individuals of any size for any reason to be canceled or postponed. As a result, it is necessary for the Department to adopt emergency regulations to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Instructional day and hour requirements;
- The service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310;

- Charter school lotteries, reporting requirements, and payments by public school districts to Charter schools;
- Annual visits to nonpublic nursery schools and kindergartens by Department staff;

- Annual assessments for homeschool students;
- Continuous experience requirements for certain professions;
- Examination timeframe requirements for Public Accounting applicants;

- Educational program requirements for licensure in a profession under Title VII of the Education Law;

- In person supervision experience requirements for certain professions;

- Filing and submission timelines for Part 83 and Part 87 appeals to the Commissioner;

- The definition of the term “prospective school employee”;

- Certain procedures and timeframes for special education due process hearings;

- Timeframes related to special education programs and services;

- Filings with the Office of State Review;

- Certain timelines relating to Bilingual education;

- English language learners’ annual assessment;

- Unit of study requirements;

- Required Dignity for All Students Act (DASA) training;

- Teacher performance assessments (edTPA);

- Statement of continued eligibility (SOCE) and limited extension application deadline, and special education full-time teaching experience deadline; and

- School and district accountability.

#### 3. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional services requirements on local governments.

#### 4. COMPLIANCE COSTS:

The proposed amendment will not impose any additional program, service, duty, responsibility or costs beyond those imposed by statute.

#### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

#### 6. MINIMIZING ADVERSE IMPACT:

The proposed amendments are necessary to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. Accordingly, no alternatives were considered.

#### 7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State and from the chief school officers of the five big city school districts.

### **Rural Area Flexibility Analysis**

The purpose of the proposed amendments to the Regulations of the Commissioner of Education is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis including orders directing the closure of schools, directing non-essential work personnel to work from home, and directing non-essential gatherings of individuals of any size for any reason to be canceled or postponed. As a result, it is necessary for the Department to adopt emergency regulations to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Instructional day and hour requirements;
- The service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310;

- Charter school lotteries, reporting requirements, and payments by public school districts to Charter schools;

- Annual visits to nonpublic nursery schools and kindergartens by Department staff;

- Annual assessments for homeschool students;

- Continuous experience requirements for certain professions;

- Examination timeframe requirements for Public Accounting applicants;

- Educational program requirements for licensure in a profession under Title VII of the Education Law;

- In person supervision experience requirements for certain professions;

- Filing and submission timelines for Part 83 and Part 87 appeals to the Commissioner;

- The definition of the term “prospective school employee”;



- Certain procedures and timeframes for special education due process hearings;
- Timeframes related to special education programs and services;
- Filings with the Office of State Review;
- Certain timelines relating to Bilingual education;
- English language learners' annual assessment;
- Unit of study requirements;
- Required Dignity for All Students Act (DASA) training;
- Teacher performance assessments (edTPA);
- Statement of continued eligibility (SOCE) and limited extension application deadline, and special education full-time teaching experience deadline; and
- School and district accountability.

The proposed amendment provides flexibility for certain regulatory requirements during the COVID-19 crisis. Thus, the proposed amendment does not adversely impact entities in rural areas of New York State. Accordingly, no further steps were needed to ascertain the impact of the proposed amendment on entities in rural areas and none were taken. Thus, a rural flexibility analysis is not required and one has not been prepared.

#### **Job Impact Statement**

The purpose of the proposed amendments is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Instructional day and hour requirements;
- The service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310;
- Charter school lotteries, reporting requirements, and payments by public school districts to Charter schools;
- Annual visits to nonpublic nursery schools and kindergartens by Department staff;
- Annual assessments for homeschool students;
- Continuous experience requirements for certain professions;
- Examination timeframe requirements for Public Accounting applicants;
- Educational program requirements for licensure in a profession under Title VII of the Education Law;
- In person supervision experience requirements for certain professions;
- Filing and submission timelines for Part 83 and Part 87 appeals to the Commissioner;
- The definition of the term "prospective school employee";
- Certain procedures and timeframes for special education due process hearings;
- Timeframes related to special education programs and services;
- Filings with the Office of State Review;
- Certain timelines relating to Bilingual education;
- English language learners' annual assessment;
- Unit of study requirements;
- Required Dignity for All Students Act (DASA) training;
- Teacher performance assessments (edTPA);
- Statement of continued eligibility (SOCE) and limited extension application deadline, and special education full-time teaching experience deadline; and
- School and district accountability.

Because it is evident from the nature of the proposed amendment that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

#### **Assessment of Public Comment**

The agency received no public comment.

### **EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED**

#### **Designation of the Executive Deputy Commissioner As the Deputy Commissioner of Education As Specified in Education Law Section 101**

**I.D. No.** EDU-04-21-00009-EP

**Filing No.** 11

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Proposed Action:** Amendment of section 3.8(b) of Title 8 NYCRR.

**Statutory authority:** Education Law, section 101 (not subdivided)

**Finding of necessity for emergency rule:** Preservation of general welfare.

**Specific reasons underlying the finding of necessity:** The proposed amendment is necessary to conform the Rules of the Board of Regents to changes made in the internal organization of the State Education Department since the position of executive deputy commissioner has been filled. The proposed amendment removes provisions relating to the Counsel and designates the Executive Deputy Commissioner as the Deputy Commissioner of Education as specified in Education Law § 101, who in the absence or disability of the Commissioner or when a vacancy exists in the office of Commissioner, shall exercise and perform the functions, powers and duties of the Commissioner.

Because the Board of Regents meets at fixed intervals, the earlier the proposed amendment could be adopted by regular (non-emergency) action, pursuant to the requirements of the State Administrative Procedure Act- including publication in the State Register and expiration of a 60-day public comment period, is the May 2021 Regents meeting, and the earliest an adoption at such meeting could be made effective would be May 26, 2021.

The recommended action is being proposed as an emergency measure because such action is necessary for the preservation of the general welfare in order to ensure that the Rules of the Board of Regents are immediately brought into conformance with changes in the Department's internal organization, so as to ensure that the Executive Deputy Commissioner is able to immediately carry out her duties and responsibilities relating to the Executive Deputy Commissioners' designation as the Deputy Commissioner of Education under Education Law § 101, including the ability to exercise and perform the functions, powers and duties of the Commissioner in his or her absence or disability, or if a vacancy exists in the office of the Commissioner.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the May 2021 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by the State Administrative Procedure Act. However, since the emergency regulation will expire before the May 2021 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the March 2021 Regents meeting.

**Subject:** Designation of the Executive Deputy Commissioner as the Deputy Commissioner of Education as specified in Education Law section 101.

**Purpose:** To conform the Regents Rules to changes in the internal organization of the State Education Department.

**Text of emergency/proposed rule:** Paragraph (b) of section 3.8 of the Rules of the Board of Regents is amended to read as follows:

(b) The [counsel] *executive deputy commissioner* shall be the deputy commissioner of education as specified in section 101 of the Education Law. In the absence or disability of the commissioner or when a vacancy exists in the office of commissioner, the [counsel] *executive deputy commissioner* shall exercise and perform the functions, powers and duties conferred or imposed on the commissioner by statute and by rule of the Regents.

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire April 11, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

**Data, views or arguments may be submitted to:** Julia Patane, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: REGCOMMENTS@nysed.gov

**Public comment will be received until:** 60 days after publication of this notice.

**This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.**

#### **Regulatory Impact Statement**

##### **1. STATUTORY AUTHORITY:**

Education Law § 101 (not subdivided) designates the Board of Regents as the head of the State Education Department and the Commissioner of Education as Chief administrative officer. The statute provides that the Regents may also appoint and, at please, remove a deputy commissioner of education, who shall perform such duties as the Regents may assign by rule and who, in the absence or disability of the Commissioner or when a vacancy exists in the office of Commissioner, shall exercise and perform the functions, powers and duties conferred or imposed on the Commissioner by the Education Law.

**2. LEGISLATIVE OBJECTIVES:**

Consistent with the authority granted to the Board of Regents pursuant to Education Law section 101, the proposed amendment designates the Executive Deputy Commissioner of the State Education Department as the deputy commissioner of education as specified in Education Law section 101: "...who shall perform such duties as the regents may assign to him by rule and who, in the absence or disability of the commissioner or when a vacancy exists in the office of commissioner, shall exercise and perform the functions, power and duties conferred or imposed on the commissioner by this chapter."

**3. NEEDS AND BENEFITS:**

The proposed amendment is necessary to conform the Rules of the Board of Regents to changes made in the internal organization of the State Education Department, regarding filing the position of Acting Executive Deputy Commissioner. The amendment will designate the Executive Deputy Commissioner of the State Education Department as the deputy commissioner of education as specified in Education Law section 101, who, in the absence or disability of the Commissioner or when a vacancy exists in the office of Commissioner, shall exercise and perform the functions, powers and duties of the Commissioner.

**4. COSTS:**

a. Costs to State government: The amendments do not impose any costs on State government, including the State Education Department.

b. Costs to local government: The amendments do not impose any costs on local government.

c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: The amendments do not impose any costs on the regulating agency for implementation and continued administration.

**5. LOCAL GOVERNMENT MANDATES:**

The proposed amendment relates solely to the internal administration of the State Education Department and does not impose any program, service, duty or responsibility upon any county, city, town, village, school district, fire district or other special district.

**6. PAPERWORK:**

The proposed amendment does not impose any reporting or other paperwork requirements.

**7. DUPLICATION:**

The proposed amendment relates solely to the internal administration of the State Education Department. There are no relevant statutes, rules, or other legal requirements of the State and Federal governments, including those which may duplicate, overlap or conflict with the rule.

**8. ALTERNATIVES:**

The proposed amendment is necessary to conform the Rules of the Board of Regents to changes in the internal organization of the State Education Department. There are no significant alternatives and none were considered.

**9. FEDERAL STANDARDS:**

There are no applicable standards of the Federal government for the subject are of the proposed amendment, which relates solely to the internal administration of the State Education Department.

**10. COMPLIANCE SCHEDULE:**

The proposed amendment relates solely to the internal administration of the State Education Department and does not impose any compliance requirements on any regulated parties.

**Regulatory Flexibility Analysis**

The proposed amendment relates solely to the internal organization of the State Education Department, regarding filling the position of Acting Executive Deputy Commissioner and does not impose any adverse economic impact, reporting, recordkeeping or other compliance requirements on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it does not affect small businesses or local governments, no further steps were needed to ascertain that fact and non were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required and one has not been prepared.

**Rural Area Flexibility Analysis**

The proposed amendment relates solely to the internal organization of the State Education Department regarding filling the position of Acting Executive Deputy Commissioner and does not impose any adverse economic impact, reporting, recordkeeping or other compliance in public and private sector interests in rural areas. Because it is evident from the nature of the proposed amendment that it does not affect such interests, no further steps were needed to ascertain that fact and non were taken. Accordingly, a rural flexibility is not required and one has not been prepared.

**Job Impact Statement**

The proposed amendment relates solely to the internal organization of the State Education Department regarding filling the position of Acting Exec-

utive Deputy Commissioner and will not have a substantial impact on jobs and employment opportunities. Because it is evident from the nature of the proposed amendment that no substantial impact will occur, no further steps were needed to ascertain that fact and non were taken. Accordingly, a job impact statement is not required and one has not been prepared.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

**Licensure of Registered Pharmacy Technicians**

**I.D. No.** EDU-04-21-00010-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** Amendment of sections 29.2, 29.7, Part 63; addition of sections 63.14, 63.15 to Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 212, 6504, 6507, 6509; L. 2019, ch. 414

**Subject:** Licensure of registered pharmacy technicians.

**Purpose:** To implement the provisions of chapter 414 of the Laws of 2019 relating to the licensure of registered pharmacy technicians.

**Text of proposed rule:** 1. Subdivision (a) of section 29.2 of the Rules of the Board of Regents is amended, as follows:

(a) Unprofessional conduct shall also include, in the professions of: acupuncture, athletic training, audiology, certified behavior analyst assistant, registered dental assisting, chiropractic, creative arts therapy, dental hygiene, dentistry, dietetics/nutrition, licensed behavior analyst, licensed pathologists' assistants, licensed perfusionist, licensed practical nursing, marriage and family therapy, massage therapy, medicine, mental health counseling, midwifery, occupational therapy, occupational therapy assistant, ophthalmic dispensing, optometry, pharmacy, physical therapist assistant, physical therapy, physician assistant, podiatry, psychoanalysis, psychology, *registered pharmacy technicians*, registered professional nursing, respiratory therapy, respiratory therapy technician, social work, specialist assistant, speech-language pathology (except for cases involving those professions licensed, certified or registered pursuant to the provisions of article 131 or 131-B of the Education Law in which a statement of charges of professional misconduct was not served on or before July 26, 1991, the effective date of chapter 606 of the Laws of 1991):

- (1) ...
- (2) ...
- (3) ...
- (4) ...
- (5) ...
- (6) ...
- (7) ...
- (8) ...
- (9) ...
- (10) ...
- (11) ...
- (12) ...
- (13) ...
- (14) ...

2. The title of section 29.7 of the Rules of the Board of Regents is amended, to read as follows:

**SPECIAL PROVISIONS FOR THE [PROFESSION] PROFESSIONS OF PHARMACY AND REGISTERED PHARMACY TECHNICIANS**

3. Subparagraph (ii) of paragraph (21) of subdivision (a) of section 29.7 of the Rules of the Board of Regents is amended, to read as follows:

(ii) Limitations on assistance by a *registered pharmacy technician* and an unlicensed person.

(a) No pharmacists, employed by a facility licensed in accordance with Article 28 of the Public Health Law or a pharmacy owned and operated by such a facility, as defined in Article 137-A of Title VIII of the Education Law, shall obtain the assistance of more than two registered pharmacy technicians in the performance of licensed tasks within their scope of practice or four unlicensed persons in the performance of the activities that do not require licensure as set forth in clauses (i)(b)-(i) of this paragraph, the total number of such persons shall not exceed four individuals at one time. No pharmacist not employed by a facility licensed in accordance with Article 28 of the Public Health Law or a pharmacy not owned and operated by such a facility, as defined in Article 137-A of Title VIII of the Education Law, shall obtain the assistance of more than [two] four unlicensed persons in the performance of the activities set forth in clauses (i)(b)-(i) of this paragraph. Pharmacy interns shall be exempt from such ratios, but shall be supervised in accordance with this Part and Part 63 of this Title. The pharmacist shall provide the degree of supervision of



such persons as may be appropriate to ensure compliance with the provisions of this Part and Part 63 of this Title. Individuals who are responsible for the act of placing drugs which are in unit-dose packaging into medication carts as part of an approved unit-dose drug distribution system for patients in institutional settings shall be exempt from such ratio, provided that such individuals are not also engaged in performing the activities set forth in clauses (i)(b)-(i) of this paragraph.

(b) Unlicensed persons shall not be authorized to:

(1) receive oral prescriptions from prescribers;

(2) interpret and evaluate a prescription for conformance with legal requirements, authenticity, accuracy and interaction of the prescribed drug with other known prescribed and over-the-counter drugs;

(3) make determinations of the therapeutic equivalency as such determinations apply to generic substitution or interchangeable biological product substitution;

(4) measure, weigh, compound or mix ingredients or engage in or assist in compounding;

(5) . . .

(6) . . .

(7) . . .

(c) No drug which is dispensed with the assistance of an unlicensed person, as provided in subparagraph (i) of this paragraph, shall be dispensed without the review and approval of the pharmacist.

4. The title of Part 63 of the Regulations of the Commissioner of Education is amended to read as follows:

**PHARMACY AND REGISTERED PHARMACY TECHNICIANS**

5. The Regulations of the Commissioner of Education is amended by adding a new section 63.14 to read as follows:

*Section 63.14 Definition of the practice of registered pharmacy technician and use of the title.*

(a) Definitions. As used in this section:

(1) "Licensed pharmacist" means a person licensed to practice pharmacy pursuant to Article 137 of Title VIII of the Education Law.

(2) "Pharmacy intern" means a person practicing under a limited permit pursuant to section 6806 of Title VIII of the Education Law.

(3) "Professional judgment" means professional decision-making by a licensed pharmacist, including, but not limited to, such activities as:

(i) interpreting a prescription or medication order for therapeutic acceptability and appropriateness or engaging in the calculations behind any such formulations;

(ii) interpreting and evaluating a prescription or medication order for conformance with legal requirements, authenticity, accuracy and interaction of the prescribed drug with other known prescribed and over-the-counter drugs;

(iii) receiving oral prescriptions from prescribers; or

(iv) counseling patients.

(4) "Compounding" means the combining, admixing, mixing, diluting, pooling, reconstituting, or otherwise altering of a drug or bulk drug substance to create a drug.

(5) "Drugs", "pharmacopeia", "labeling" and "sterile drug" shall have the same definitions as set forth in section 6802 of Title VIII of the Education Law.

(b) Definition of the practice of registered pharmacy technician and use of the title:

(1) Only a person licensed to practice as a registered pharmacy technician under Article 137-A of the Education Law or otherwise authorized to practice shall practice as a registered pharmacy technician or use the title "registered pharmacy technician."

(2) A registered pharmacy technician may, under the direct personal supervision of a licensed pharmacist, assist such licensed pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by the facility, in accordance with Article 137 of the Education Law where such tasks require no professional judgment. Such professional judgment shall only be exercised by a licensed pharmacist. A registered pharmacy technician may only practice in a facility licensed in accordance with Article 28 of the Public Health Law, or a pharmacy owned and operated by such a facility, under the direct personal supervision of a licensed pharmacist employed in such a facility or pharmacy. Such facility shall be responsible for ensuring that the registered pharmacy technician has received appropriate training to ensure competence before he or she begins assisting a licensed pharmacist in compounding, preparing, labeling, or dispensing of drugs, in accordance with Articles 137-A and 137 of the Education Law. For the purposes of this section, direct personal supervision means supervision of procedures based on instructions given directly by a supervising licensed pharmacist who remains in the immediate area where the procedures are being performed, authorizes the procedures and evaluates the procedures performed by the registered pharmacy technicians and a supervising

licensed pharmacist shall approve all work performed by the registered pharmacy technician prior to the actual dispensing of any drug.

(3) In addition to the registered pharmacy technician services included in subdivision (a) of this section, registered pharmacy technicians may also assist a licensed pharmacist in the dispensing of drugs by performing the following functions that do not require a license under Article 137-A of the Education Law:

(i) receiving written or electronically transmitted prescriptions, except that in the case of electronically transmitted prescriptions the licensed pharmacist or pharmacy intern shall review the prescription to determine whether in his or her professional judgment it shall be accepted by the pharmacy, and if accepted, the licensed pharmacist or pharmacy intern shall enter his or her initials into the records of the pharmacy;

(ii) typing prescription labels;

(iii) keying prescription data for entry into a computer-generated file or retrieving prescription data from the file, provided that such computer-generated file shall provide for verification of all information needed to fill the prescription by a licensed pharmacist prior to the dispensing of the prescription, meaning that the licensed pharmacist shall review and approve such information and enter his or her initials or other personal identifier into the recordkeeping system prior to the dispensing of the prescription or of the prescription refill;

(iv) getting drugs from stock and returning them to stock;

(v) getting prescription files and other manual records from storage and locating prescriptions;

(vi) counting dosage units of drugs;

(vii) placing dosage units of drugs in appropriate containers;

(viii) affixing the prescription label to the containers;

(ix) preparing manual records of dispensing for the signature or initials of the licensed pharmacist; or

(x) handing or delivering completed prescriptions to the patient or the person authorized to act on behalf of the patient and, in accordance with the relevant commissioner's regulations, advising the patient or person authorized to act on behalf of the patient of the availability of counseling to be conducted by the licensed pharmacist or pharmacy intern.

6. The Regulations of the Commissioner of Education are amended by adding a new section 63.15 to read as follows:

*Section 63.15 Requirements for licensure as a registered pharmacy technician.*

(a) To qualify for licensure as a "registered pharmacy technician", an applicant shall fulfill the following requirements:

(1) Application: file an application with the department;

(2) Education: have received an education, including high school graduation or its equivalent, as determined by the department;

(3) Certification from a nationally accredited pharmacy technician certification program acceptable to the department;

(4) Age: at the time of application be at least eighteen years of age;

(5) Character: be of good moral character as determined by the department; and

(6) Fees:

(i) applicants shall pay a fee of \$75 for an initial license and a fee of \$100 for the first registration period; and

(ii) licensees shall pay a fee of \$100 for each triennial registration period.

**Text of proposed rule and any required statements and analyses may be obtained from:** Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

**Data, views or arguments may be submitted to:** Sarah S. Benson, Deputy Commissioner, NYS Education Department, Office of the Professions, 89 Washington Avenue, 2nd Floor EB, West Wing, Albany, NY 12234, (518) 486-1727, email: REGCOMMENTS@nysed.gov

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement**

**1. STATUTORY AUTHORITY:**

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Subdivision (3) of section 212 of the Education Law authorizes the State Education Department ("Department") to determine and set fees for certifications and permits.

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Paragraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions.

Subdivision (9) of section 6509 of the Education Law authorizes the Board of Regents to define unprofessional conduct in the professions.

Section 6840 of the Education Law, as added by Chapter 414 of the Laws of 2019, establishes the new profession of registered pharmacy technicians.

Section 6841 of the Education Law, as added by Chapter 414 of the Laws of 2019, defines the profession of registered pharmacy technicians and the practice of registered pharmacy technicians.

Section 6842 of the Education Law, as added by Chapter 414 of the Laws of 2019, establishes definitions relating to the practice of registered pharmacy technicians.

Section 6843 of the Education Law, as added by Chapter 414 of the Laws of 2019, establishes protect for the title “register pharmacy technician.”

Section 6844 of the Education Law, as added by Chapter 414 of the Laws of 2019, establishes the education, certification, age and moral character requirements for applicants seeking licensure as registered pharmacy technicians, as well as providing the Department with the discretion to establish the fees for both the initial license and each triennial registration period.

Section 6832 of the Education Law, as added by Chapter 414 of the Laws of 2019, establishes limitations on how an unlicensed person may assist a licensed pharmacist in the dispensing of drugs, as well as supervision ratios.

## 2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to conform the Rules of the Board of Regents and the Regulations of the Commissioner of Education to Chapter 414 of the Laws of 2019 (Chapter 414), which amends the Education Law by, inter alia, adding Article 137-A, effective April 25, 2021, to establish and define the new profession of registered pharmacy technicians. Chapter 414 provides that registered pharmacy technicians may only practice in facilities licensed in accordance with Article 28 of the Public Health Law (Article 28 facilities), or pharmacies owned and operated by such facilities, under the direct personal supervision of a licensed pharmacist employed in such facilities or pharmacies. Such facilities are responsible for ensuring that the registered pharmacy technicians have received appropriate training to ensure competence before they begin assisting a licensed pharmacist in compounding, preparing, labeling, or dispensing of drugs, in accordance with Articles 137-A and 137 of the Education Law.

The proposed rule implements Chapter 414 by:

- changing the title of Part 63 of the Commissioner’s Regulations from “Pharmacy” to “Pharmacy and Registered Pharmacy Technicians” and establishing the requirements for licensure as a registered pharmacy technician, which include education, certification, age, moral character, application and fee requirements;
- implementing Chapter 414’s definition of the practice of the profession of registered pharmacy technicians and the requirements for the use of the title “registered pharmacy technician”; amending the Rules of the Board of Regents to add the profession of registered pharmacy technicians to the list of health care professions that are subject to its unprofessional provisions;
- changing the title of the “Special Provisions for the Profession of Pharmacy” section to “Special Provisions for the Professions of Pharmacy and Registered Pharmacy Technicians,” as well as the title of the “Limitations on assistance by an unlicensed person” subparagraph to “Limitations on assistance by a registered pharmacy technician and an unlicensed person”; and
- implementing Chapter 414’s supervision ratio for registered pharmacy technicians and unlicensed persons employed by Article 28 facilities, or pharmacies owned and operated by such facilities and the supervision ratio for unlicensed persons employed by non-Article 28 facilities and pharmacies not owned or operated by such facilities; and establishing that these ratios do not apply to pharmacy interns, while requiring that pharmacy interns must be supervised in accordance with Parts 29 and 63 of the Commissioner’s Regulations.

## 3. NEEDS AND BENEFITS:

The proposed amendment is necessary to conform the Rules of the Board of Regents and the Regulations of the Commissioner of Education to Chapter 414. Chapter 414 allows registered pharmacy technicians, under the direct personal supervision of a licensed pharmacist, to assist such pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by Article 28 facilities or pharmacies owned and operated by such facilities will improve access to these pharmacy services, while ensuring the health and safety of New Yorkers.

The purpose of the proposed rule is to implement Chapter 414 by establishing the practice of registered pharmacy technicians as a licensed profession in New York State and to establish education, certification, age, moral character, application and fee requirements for licensure in order to

protect the public by providing for a minimum standard level of competency and professional accountability, including subjecting registered pharmacy technicians to the unprofessional conduct provisions for the health care professions.

## 4. COSTS:

(a) Costs to State government: The proposed rule implements statutory requirements and establishes standards as directed by statute and will not impose any additional costs on State government beyond those imposed by the statutory requirements.

(b) Costs to local governments. There are no additional costs to local governments.

(c) Costs to private regulated parties. As authorized by Education Law § 6844(6), the proposed rule establishes fees for both the initial license and each triennial registration period: the initial license fee is \$75 and the triennial registration fee is \$100. Additionally, pursuant to Education Law § 6844(3), applicants for licensure as registered pharmacy technicians must have certification from a nationally accredited pharmacy technician program acceptable to the Department. Thus, applicants will also incur the cost of obtaining such certification, the cost of which will be set by the nationally accredited pharmacy technician program or programs acceptable to the Department.

(d) Cost to the regulatory agency: The proposed rule does not impose any additional costs on the Department beyond those imposed by statute. Any associated costs to the Department will be offset by the fees charged to applicants and no significant cost will result to the Department.

## 5. LOCAL GOVERNMENT MANDATES:

The proposed rule implements Chapter 414, which amends the Education Law by adding Article 137-A, to establish the standards for applicants seeking licensure as registered pharmacy technicians to ensure that only those properly educated and prepared to be registered pharmacy technicians hold themselves out as such. The proposed rule does not impose any program, service, duty, or responsibility upon local governments.

## 6. PAPERWORK:

The proposed rule imposes no new reporting or other paperwork requirements beyond those imposed by the statute.

## 7. DUPLICATION:

The proposed rule is necessary to implement Chapter 414. There are no other state or federal requirements on the subject matter of the proposed rule. Therefore, the proposed rule does not duplicate other existing New York State or federal requirements.

## 8. ALTERNATIVES:

The proposed rule is necessary to conform the Rules of the Board of Regents and the Regulations of the Commissioner of Education to Chapter 414. There are no significant alternatives to the proposed rule available and none were considered.

## 9. FEDERAL STANDARDS:

Since there are no applicable federal standards, the proposed rule does not exceed any minimum federal standards for the same or similar subject areas.

## 10. COMPLIANCE SCHEDULE:

The proposed amendment is necessary to conform the Rules of the Board of Regents and the Regulations of the Commissioner of Education to Chapter 414. If adopted at the January 2021 Regents meeting by emergency action, the proposed amendment will become effective on April 25, 2021, which is the effective date of the statute. It is anticipated that regulated parties will be able to comply with the proposed amendments by the effective date.

## Regulatory Flexibility Analysis

### (a) Small Businesses:

Pursuant to Chapter 414 of the Laws of 2019 (Chapter 414), the practice of the registered pharmacy technicians profession is limited to facilities licensed in accordance with Article 28 of the Public Health Law (Article 28 facilities), or pharmacies owned and operated by such facilities, under the direct personal supervision of a licensed pharmacist employed in such facilities or pharmacies. Thus, while individuals who are employed by small businesses may seek licensure as registered pharmacy technicians, they may not practice as registered pharmacy technicians at those small businesses. Therefore, the proposed rule will not impose any new reporting, recordkeeping, or other compliance requirements, or have any adverse economic impact on small businesses. Because it is evident from the nature of the proposed rule that it will not adversely affect small businesses, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required, and one has not been prepared.

### (b) Local Governments:

#### 1. EFFECT OF RULE:

The purpose of the proposed rule is to implement Chapter 414, which, effective April 25, 2021, establishes and defines the practice of the profession of registered pharmacy technicians. Chapter 414 allows, inter alia, registered pharmacy technicians, under the direct personal supervision of



a licensed pharmacist, to assist such pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by Article 28 facilities or pharmacies owned and operated by such facilities, in accordance with Article 137 of the Education Law, where such tasks require no professional judgment. Such professional judgment shall only be exercised by a licensed pharmacist.

The number of individuals who may seek to be licensed as registered pharmacy technicians in New York State is not available and is unknown. The number of these individuals who may be employed by local governments is also unknown.

## 2. COMPLIANCE REQUIREMENTS:

The proposed rule implements Chapter 414, which establishes the new profession of registered pharmacy technicians and the requirements for licensure as a registered pharmacy technician. These requirements include, but are not limited to, education, certification and age requirements. Individuals seeking licensure to practice in New York State will be required to submit an application with the State Education Department and meet all the requirements for licensure, which include, but are not limited to, the education, certification, and age requirements specified in the proposed rule.

## 3. PROFESSIONAL SERVICES:

It is not anticipated that local governments will need professional services to comply with the proposed rule.

## 4. COMPLIANCE COSTS:

The proposed rule does not impose any direct costs on local governments. As authorized by Education Law § 6844(6), the proposed rule establishes fees for both the initial license and each triennial registration period: the initial license fee is \$75 and the triennial registration fee is \$100. Additionally, pursuant to Education Law § 6844(3), applicants for licensure as registered pharmacy technicians must have certification from a nationally accredited pharmacy technician program acceptable to the Department. Thus, applicants will also incur the cost of obtaining such certification, the cost of which will be set by the nationally accredited pharmacy technician program or programs acceptable to the Department.

## 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule will not impose any new technological requirements on regulated parties, including local governments, and the proposed rule is economically feasible. See above "Compliance Costs" for the economic impact of the regulation.

## 6. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement the provisions of Chapter 414, which establishes the new profession of registered pharmacy technicians and the licensure requirements for registered pharmacy technicians. These requirements include, but are not limited to, education, certification, and age requirements. Chapter 414 authorizes the State Education Department to define, in regulation, the standards to be met for licensure as a registered pharmacy technician, including establishing the fees for the initial license and for each triennial registration period. Individuals seeking licensure to practice in New York State will be required to submit an application to the State Education Department and meet all the requirements for licensure, which include, but are not limited to, the education, certification and age requirements specified in the proposed rule. The proposed fee structure was determined by the State Education Department to be the minimum needed to support additional costs. It is on par with fee structures in other professions. It was determined that the licensure of registered pharmacy technicians who meet the minimum requirements established in the proposed rule best ensures the protection of the health and safety of the public.

## 7. LOCAL GOVERNMENT PARTICIPATION:

Statewide organizations representing all parties having an interest in the practice of pharmacy and pharmacy technicians, including the State Board for Pharmacy and who are members of various professional associations and groups, which include state and federal employees, were consulted and provided input into the development of the proposed rule and their comments were considered in its development.

## 8. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement statutory requirements in Chapter 414 and, therefore, the substantive provisions of the proposed rule cannot be repealed or modified unless there is a further statutory change. Accordingly, there is no need for a shorter review period. The Department invites public comment on the proposed five-year review period for this rule. Comments should be sent to the agency contact listed in item 10 of the Notice of Proposed Rule Making published herewith and must be received within 45 days of the State Register publication date of the Notice.

## Rural Area Flexibility Analysis

### 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule will apply to all individuals seeking licensure as a registered pharmacy technician, including those located in the 44 counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square miles or less.

### 2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

As required by Chapter 414 of the Laws of 2019 (Chapter 414), which becomes effective April 25, 2021, the proposed rule establishes the new profession of registered pharmacy technicians and the requirements for licensure as a registered pharmacy technician which include, but are not limited to, education, certification, and age requirements.

Prior to Chapter 414, New York State did not have a law recognizing the role of pharmacy technicians. Chapter 414 allows registered pharmacy technicians, under the direct personal supervision of a licensed pharmacist, to assist such pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by facilities licensed in accordance with Article 28 of the Public Health Law (Article 28 facilities), or pharmacies owned and operated by such facilities, in accordance with Article 137 of the Education Law, where such tasks require no professional judgment. Such professional judgment shall only be exercised by a licensed pharmacist.

Chapter 414 provides that registered pharmacy technicians may only practice in Article 28 facilities or pharmacies owned and operated by such facilities, under the direct personal supervision of a licensed pharmacist employed in such facilities or pharmacies. Such facilities are responsible for ensuring that the registered pharmacy technicians have received appropriate training to ensure competence before they begin assisting a licensed pharmacist in compounding, preparing, labeling, or dispensing of drugs, in accordance with Articles 137-A and 137 of the Education Law. Additionally, Chapter 414 defines direct personal supervision as supervision of procedures based on instructions given directly by a supervising licensed pharmacist who remains in the immediate area where the procedures are being performed, authorizes the procedures and evaluates the procedures performed by the registered pharmacy technicians and requires the supervising licensed pharmacist to approve all work performed by the registered pharmacy technicians prior to the actual dispensing of any drug.

In addition to performing the above-referenced registered pharmacy technician tasks, pursuant to Chapter 414, registered pharmacy technicians may assist a licensed pharmacist in the dispensing of drugs by performing functions that do not require a license. Such tasks include, but are not limited to, typing prescription labels; getting drugs from stock and returning them to stock; counting dosage units of drugs; and placing dosage units of drugs in appropriate containers.

Chapter 414 establishes the education, certification, age, moral character, application and fee requirements for applicants seeking licensure as registered pharmacy technicians. Moreover, Chapter 414 adds section 6832 to the Education Law to set limitations on how unlicensed persons can assist a pharmacist in the dispensing of drugs and sets the supervision ratio for unlicensed persons in Article 28 facilities and pharmacies owned and operated by such facilities and non-Article 28 facilities. Additionally, Chapter 414 adds section 6841 to the Education Law to, among other things, set the supervision ratio for registered pharmacy technicians in Article 28 facilities and/or pharmacies owned and operated by such facilities. Chapter 414 also amends section 6804 of the Education Law to add two registered pharmacy technicians to the State Board of Pharmacy and makes technical changes to the duties of the State Board of Pharmacy.

The proposed amendment aligns the Rules of the Board of Regents and Commissioner's regulations to Chapter 414 by:

- adding the profession of registered pharmacy technicians to the list of health care professions that are subject to its unprofessional provisions;
- changing the title of the section from "Special Provisions for the Profession of Pharmacy" to "Special Provisions for the Professions of Pharmacy and Registered Pharmacy Technicians;"
- changing the title of the subparagraph from "Limitations on assistance by an unlicensed person" to "Limitations on assistance by a registered pharmacy technician and an unlicensed person";
- implementing the supervision ratio for registered pharmacy technicians and unlicensed persons employed by Article 28 facilities, or pharmacies owned and operated by such facilities and the supervision ratio for unlicensed persons employed by non-Article 28 facilities and pharmacies not owned or operated by such facilities; and establishing that these ratios do not apply to pharmacy interns, but requires that pharmacy interns must be supervised in accordance with Parts 29 and 63 of the Commissioner's regulations;

- changing the title of Part 63 of the Commissioner's Regulations from "Pharmacy" to "Pharmacy and Registered Pharmacy Technicians";
- adding a new section 63.14 to the Commissioner's Regulations which implements Chapter 414's definition of the practice of registered pharmacy technician and the use of the title "registered pharmacy technician"; and
- adding a new section 63.15 to the Commissioner's Regulations which establishes requirements for licensure as a registered pharmacy technician, which includes education, certification, age, moral character, application and fee requirements.

Individuals seeking licensure to practice as a registered pharmacy technician in New York State will be required to submit an application to the State Education Department and meet all the requirements for licensure, which include but are not limited to, the education, certification and examination requirements specified in the proposed rule.

The proposed rule will not impose any additional professional service requirements on entities in rural areas.

### 3. COSTS:

With respect to individuals seeking licensure as a registered pharmacy technician from the State Education Department, including those in rural areas, the proposed rule does not impose any additional costs beyond those required by statute. As authorized by Education Law section 6844(6), the proposed rule establishes fees for both the initial license and each triennial registration period: the initial license fee is \$75 and the triennial registration fee is \$100. Additionally, pursuant to Education Law section 6844(3), applicants for licensure as registered pharmacy technicians must have certification from a nationally accredited pharmacy technician program acceptable to the Department. Thus, applicants will also incur the cost of obtaining such certification, the cost of which will be set by the nationally accredited pharmacy technician program or programs acceptable to the Department.

### 4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement the provisions of Chapter 414, which establishes the new profession of registered pharmacy technicians and the licensure requirements for registered pharmacy technicians, which include education, experience, examination, age, moral character and fee requirements. The statutory requirements do not make exceptions for individuals who live or work in rural areas. Thus, the State Education Department has determined that the proposed rule's requirements should apply to all individuals seeking licensure as a registered pharmacy technician, regardless of the geographic location, to help insure continuing competency across the State. Because of the nature of the proposed rule, alternative approaches for rural areas were not considered.

### 5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from statewide organizations representing parties having an interest in the practice of pharmacy and pharmacy technicians. These organizations included the State Board for Pharmacy and professional associations representing the pharmacy profession and/or pharmacy technicians. These groups have members who live or work in rural areas.

### 6. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement statutory requirements in Chapter 414 and, therefore, the substantive provisions of the proposed rule cannot be repealed or modified unless there is a further statutory change. Accordingly, there is no need for a shorter review period.

### Job Impact Statement

The proposed rule is necessary to conform the Rules of the Board of Regents and the Regulations of the Commissioner of Education to Chapter 414 of the Laws of 2019 (Chapter 414). The proposed rule implements Chapter 414, which establishes and defines the practice of registered pharmacy technicians. Chapter 414 allows, inter alia, registered pharmacy technicians, under the direct personal supervision of a licensed pharmacist, to assist such pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by facilities licensed in accordance with Article 28 of the Public Health Law (Article 28 facilities), or pharmacies owned and operated by such facilities, in accordance with Article 137 of the Education Law, where such tasks require no professional judgment.

The proposed aligns the Rules of the Board of Regents and the Commissioner's regulations to Chapter 414 by:

- adding the profession of registered pharmacy technicians to the list of health care professions that are subject to its unprofessional provisions;
- changing the title of the section from "Special Provisions for the Profession of Pharmacy" to "Special Provisions for the Professions of Pharmacy and Registered Pharmacy Technicians";

- changing the title of the subparagraph from "Limitations on assistance by an unlicensed person" to "Limitations on assistance by a registered pharmacy technician and an unlicensed person."

- implementing the supervision ratio for registered pharmacy technicians and unlicensed persons employed by Article 28 facilities, or pharmacies owned and operated by such facilities and the supervision ratio for unlicensed persons employed by non-Article 28 facilities and pharmacies not owned or operated by such facilities; and establishing that these ratios do not apply to pharmacy interns, but requires that pharmacy interns must be supervised in accordance with Parts 29 and 63 of the Commissioner's regulations;

- changing the title of Part 63 of the Commissioner's Regulations from "Pharmacy" to "Pharmacy and Registered Pharmacy Technicians";

- adding a new section 63.14 to the Commissioner's Regulations which implements Chapter 414's definition of the practice of registered pharmacy technician and the use of the title "registered pharmacy technician"; and

- adding a new section 63.15 to the Commissioner's Regulations which establishes requirements for licensure as a registered pharmacy technician, which includes education, certification, age, moral character, application and fee requirements.

It is not anticipated that the proposed rule will increase or decrease the number of jobs to be filled because, among other things, Chapter 414 limits the practice of registered pharmacy technicians to Article 28 facilities, or pharmacies owned and operated by such facilities, under the direct personal supervision of a licensed pharmacist employed in such facilities or pharmacies. It is anticipated that unlicensed persons currently working in or seeking to work in such facilities or pharmacies owned and operated by such facilities may seek to apply for licensure as registered pharmacy technicians. Therefore, the proposed rule will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

## Department of Environmental Conservation

### NOTICE OF ADOPTION

#### Repeal and Replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles

**I.D. No.** ENV-06-20-00018-A

**Filing No.** 9

**Filing Date:** 2021-01-12

**Effective Date:** 30 days after filing

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of Part 200; repeal of Part 230; addition of new Part 230 to Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0304, 71-2103 and 71-2105

**Subject:** Repeal and replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles.

**Purpose:** To further reduce harmful volatile organic compounds (VOCs) emitted into the atmosphere.

**Substance of final rule:** 6 NYCRR Part 230, "Gasoline Dispensing Sites and Transport Vehicles"

6 NYCRR Part 200, "General Provisions"

The New York State Department of Environmental Conservation (Department) has revised Part 200.9 "General Provisions, Referenced Material, Table1" and repealed and replaced Part 230 "Gasoline Dispensing Sites and Transport Vehicles" of the Official Compilation of Codes, Rules, and Regulations of New York State (6 NYCRR).

The revisions to 6 NYCRR Part 200.9 "General Provisions, Referenced Material, Table1" were made to incorporate the applicable standards, guidelines and methodologies necessary to meet the specific requirements of 6 NYCRR Part 230.

Repeal and replacement of 6 NYCRR Part 230 "Gasoline Dispensing Sites and Transport Vehicles" will further reduce volatile organic com-

pound (VOC) source emissions from gasoline dispensing facilities (GDFs) and transport vehicles across New York State.

The Department is also adopting EPA's control measures for federal "enhanced" Stage I vapor recovery, submerged fill, dual-point vapor control systems, new performance test requirements and best management practices outlined in 40 CFR 63 Subpart CCCCCC (Subpart 6C).

The incorporation of federal "enhanced" Stage I controls into new Part 230 will provide better vapor capture efficiency during the loading of gasoline storage tanks than the existing regulation currently requires.

New submerged filling requirements are being adopted in Part 230 for all gasoline storage tanks at GDFs to address the requirements in the current New York State Fire Code and minimize the generation of gasoline vapors caused by splash loading.

The federal requirement for dual-point vapor control systems, equipping storage tanks with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection, is necessary to maintain a proper seal when the vapor recovery line is disconnected.

The addition of the federal performance test requirements for vapor recovery systems will ensure more consistent vapor capture at GDFs.

Other federal requirements being adopted include best management practices to minimize the amount of VOC released from spills and uncovered gasoline storage containers.

The changes also include the removal of Stage II vapor recovery systems due to the equipment incompatibility with onboard refueling vapor recovery (ORVR) systems.

The "phase-in" requirements for installation of Stage I and Stage II vapor recovery systems are being removed because they are no longer applicable.

Gasoline storage tanks with a capacity of less than 550 gallons and which are used exclusively for farm tractors engaging in agricultural or snowplowing activity and automobile dismantling facilities will be exempt from the requirements of Stage I because it would not be cost effective to require these facilities to install vapor recovery systems.

The Department is also requiring test companies to certify that Stage I vapor recovery system tests will be performed in accordance with incorporated CARB regulation testing procedures and protocols.

The information regarding registration schedules is being removed because the schedules for compliance have already been completed.

The Department is requiring pressure-vacuum cargo tank testing and markings that coincide with the Federal Department of Transportation (DOT) testing and marking requirements making these requirements consistent on the state and federal level.

The revision to the gasoline transport vehicle recordkeeping retention requirements from 2 years to 5 years supports the recent recordkeeping amendment made to federal Subpart 6C.

**Final rule as compared with last published rule:** Nonsubstantive changes were made in sections 200.9 and 230.2(b)(2).

**Text of rule and any required statements and analyses may be obtained from:** Denise Prunier, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3254, (518) 402-8403, email: air.regs@dec.ny.gov

**Additional matter required by statute:** Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form, a Negative Declaration, and a Coastal Assessment Form have been prepared and are on file.

#### **Summary of Revised Regulatory Impact Statement**

The New York State Department of Environmental Conservation (Department) proposes to repeal and replace 6 NYCRR Part 230 to reduce volatile organic compound (VOC) emissions from gasoline dispensing sites and transport vehicles in New York State. As part of this rulemaking, the Department also proposes to revise 6 NYCRR Part 200 to incorporate by reference applicable federal and California Air Resources Board (CARB) test methods; inspection procedures; and gasoline tanker truck marking, reporting and record retention provisions which are required by new Part 230. The emission reductions resulting from the proposed replacement of Part 230 and the revision to Part 200 are necessary to help the state demonstrate attainment of both the 2008 and 2015 ozone National Ambient Air Quality Standards (NAAQS). The attainment demonstrations for both the 2008 and 2015 ozone NAAQS must be documented in State Implementation Plans (SIPs) that must be submitted to the Environmental Protection Agency prior to the end of 2020 and 2021, respectively.

According to the Environmental Conservation Law (ECL), the Department has the authority to develop and enforce regulations for the protection of New York State's natural resources and the environment. ECL sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, and 19-0303 establish the authority of the Department to regulate air pollution and air contamination sources. ECL section 19-0305 authorizes the Department to enforce the codes, rules and regulations of the Department, and ECL sections 71-2103 and 71-2105 set forth the applicable civil and criminal penalty

structures. Together, these sections of the ECL set out the overall state policy goal of reducing air pollution and providing clean, healthy air for the citizens of New York and provides the Department with the general authority to adopt and enforce measures to do so.

#### **Replacement of 6 NYCRR Part 230**

The Department is proposing to adopt a new Part 230, "Gasoline Dispensing Sites and Transport Vehicles," to further reduce VOC source emissions from gasoline dispensing sites and transport vehicles. A gasoline dispensing site is a federally regulated Gasoline Dispensing Facility (GDF) with gasoline storage tank(s) greater than 250 gallons. Emissions of VOCs from the transfer of gasoline at GDFs can be significant. Over 6 billion gallons of gasoline are distributed to about 7,540 retail sites in New York State each year.

Vapor recovery measures at GDFs help reduce VOC emissions into the atmosphere. Stage I and Stage II vapor recovery systems collect and control these emissions. Stage I systems are used to control the emissions from gasoline storage tanks whereas outdated Stage II systems control the emissions from vehicle fuel tanks during refueling. Additional control measures can include submerged filling for gasoline storage tanks and dual-point vapor balancing systems that have an entry port for a gasoline fill pipe and a separate exit port for better vapor collection. Proposed Part 230 will require some or all these control measures depending on site location and the annual gasoline throughput of a gasoline dispensing site or GDF.

The Department proposes to adopt the federal requirements of 40 CFR Part 63 Subpart CCCCCC (Subpart 6C) for "enhanced" Stage I vapor recovery control, submerged filling, dual-point vapor control systems, new performance testing and best management practices in new Part 230. Incorporation of these measures into new Part 230 will make the state regulation consistent with federal requirements. The Department also proposes to extend these same federal requirements to medium-sized GDFs not covered by the federal rule to achieve further reductions in NYMA emissions. Additionally, new Part 230 proposes to increase the frequency of performance testing and decommission all remaining Stage II vapor recovery systems.

Federal "enhanced" Stage I systems achieve greater emission reductions than the Stage I systems currently allowed under the existing Part 230 state regulation. Under the federal rule, Stage I vapor recovery systems are only required at large GDFs with annual throughputs of 1,200,000 gallons or greater. The Department proposes to extend these same federal requirements to medium-sized GDFs located in the New York City Metropolitan Area (NYMA) with annual throughputs between 800,000 and 1,200,000 gallons to achieve greater VOC emission reductions in the ozone nonattainment area.

New submerged filling requirements are being proposed in Part 230 for all GDF's with gasoline storage tanks that have capacities greater than 250 gallons. Submerged filling is already required by the New York State Fire Code for all top-loaded gasoline storage tanks with capacities greater than 60 gallons. Inclusion of this requirement in Part 230 will make the regulation consistent with the State Fire Code for the larger gasoline storage tanks. Submerged filling reduces vapor emissions where gasoline is dispensed through a fill pipe that extends to within 6 inches of the bottom of a tank.

Proposed Part 230 incorporates the federal requirement to equip new or reconstructed gasoline storage tanks with a dual-point vapor control system that has both an entry port for a gasoline fill pipe and a separate exit port for a vapor connection. Coaxial pipes, with only one port for both gasoline filling and vapor extraction, don't always maintain a proper seal when the vapor line is disconnected. As with the federal Stage I vapor recovery requirements, the Department proposes to extend this requirement to medium-sized GDFs in the NYMA to achieve greater reductions in VOC emissions.

The Department proposes to replace the current Part 230 performance test requirements with the federal requirements for testing vapor recovery systems to ensure better vapor capture and control. These improved performance test methods will ensure that vapor recovery systems are functioning properly and meet the federal control requirements. Requiring these tests to be conducted once every three years, rather than every five years, will help improve yearly compliance. This rulemaking proposal also extends the federal testing requirements to medium-sized GDFs in the NYMA.

Other proposed, new provisions include the federal requirement for best management practices to minimize spills and the amount of VOC released from uncovered gasoline storage containers. Proposed best management practices include requirements to keep all gasoline containers covered, minimize spills, and to clean-up spills as expeditiously as possible. These measures will apply to all GDFs with annual throughputs of 120,000 gallons or greater.

The required removal of Stage II vapor recovery systems is being proposed due to equipment incompatibility with onboard refueling vapor



recovery systems (ORVR). As ORVR becomes more widespread, the counter productiveness of Stage II increases. Modeling has shown that the percentage of vehicles equipped with ORVR in New York State is high and that excess emissions are starting to increase because of the incompatibility problem with Stage II systems. Removal of the Stage II systems from GDFs will help New York State attain the ozone standard.

The “phase-in” requirements for installation of Stage I and Stage II vapor recovery systems are being removed because they are no longer applicable. Existing Part 230 phased in Stage I and Stage II requirements over time depending on tank size, annual throughput and location of the GDF. All the compliance dates have since passed making these requirements obsolete.

The Department proposes to exempt auto dismantling facilities from the requirements of Stage I because there are no cargo trucks in which to return captured vapors. These facilities fill storage tanks with gasoline collected from drained and dismantled vehicles. There are approximately 800 of these facilities located throughout New York which handle a small volume of gasoline per year.

Companies doing performance tests will also be required to provide certification of testing experience. Approximately 3,545 GDFs will be required to comply with the proposed testing requirements. New self-certification requirements will also help enforcement staff verify that tests are being conducted properly.

The Department also proposes to remove the registration schedules in existing Part 230.7 because the compliance dates have passed. All GDFs operating in New York State must currently be registered with the Department.

The proposal to replace the pressure-vacuum cargo tank testing and marking provisions with current Federal Department of Transportation (DOT) requirements will make these requirements consistent on the state and federal level.

The proposal to revise the recordkeeping retention requirements for gasoline transport vehicles from two to five years matches federal Subpart 6C requirements.

Potential costs to regulated parties due to the proposed repeal and replacement of Part 230 will include costs to medium-sized GDFs located in the NYMA with annual throughputs between 800,000 and 1,200,000 gallons per year for the upgrade to federal “enhanced” Stage I and the requirement to perform more frequent vapor-tightness testing. The cost for this upgrade is approximately \$1,150 for an average site. In addition, these GDFs would incur a cost of \$500 once every three years instead of once every five years for increased vapor-tightness testing. These additional costs would affect approximately 851 GDFs in the NYMA.

The costs associated with the removal of Stage II vapor recovery systems will be offset by eliminating the annual costs for maintaining these systems.

No new costs are associated with the installation of dual-point collection systems, removal of the “phase-in” requirements, self-certification requirements for testers, federal DOT tank test and marking requirements for cargo tank owners or for compliance with gasoline transport vehicle recordkeeping requirements.

Costs to state and local governments like those described above will be required for several of the larger cities, counties, or local municipalities across the state operating GDFs. The majority will not be affected by many of the costs associated with the proposed rule changes. Since the regulatory amendments will apply equally to all entities, the compliance obligations of local governments will be no different than those of other subject entities.

There should be no increase in administrative costs to the Department since the Department does not anticipate a need to increase or expand the resources currently devoted to the regulation of GDFs.

Minor additional paperwork will be imposed on owners and/or operators of GDFs and companies overseeing the required performance tests due to this rulemaking. GDF owners and/or operators will need to submit additional information regarding site location and throughput when submitting required test reports and provide documentation to the Department upon completion of decommissioning procedures for Stage II vapor recovery systems. Test companies will need to submit self-certification forms to the Department prior to conducting performance tests.

Proposed Part 230 will not conflict with any other state or federal requirements. It is the intent of New York State to bring its GDF regulation in sync with the current federal GDF regulation by adopting the provisions of Subpart 6C. All relevant federal obligations will be satisfied by the revised new state regulation.

New Part 230 will incorporate all the minimum standards of federal Subpart 6C and its amendments. In addition, new Part 230 will impose additional requirements, beyond what the federal rule requires, for the federal Stage I and performance test requirements for medium-sized GDFs in the NYMA.

Revisions to 6 NYCRR Part 200

The revisions to Table 1 of Part 200.9 are being made to incorporate by reference the applicable federal and California Air Resources Board (CARB) test methods; inspection procedures; and gasoline tanker truck marking, reporting and record retention provisions.

#### **Revised Regulatory Flexibility Analysis**

New York faces a significant public health challenge from ground-level ozone, which causes health effects ranging from respiratory disease to death. In response to this public health problem, New York has enacted a series of regulations designed to control ozone and its chemical precursors which include volatile organic compounds (VOCs). To lower emissions that affect ozone formation, New York State is proposing to repeal and replace 6 NYCRR Part 230 to limit VOC emissions from gasoline dispensing sites and transport vehicles. A gasoline dispensing site is a federally regulated Gasoline Dispensing Facility (GDF) with gasoline storage tank(s) greater than 250 gallons. Revisions to Table 1 of 6 NYCRR Part 200.9 are also being proposed to incorporate by reference applicable federal and California Air Resources Board test methods; inspection procedures; and gasoline tanker truck marking, reporting and record retention provisions.

The New York State Department of Environmental Conservation (Department) is revising the State Implementation Plan (SIP) to demonstrate how New York State will attain the 2008 and 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS). The SIP revisions will include the establishment of new and/or revised control requirements for emissions of the precursors causing ground level ozone pollution including VOCs. This rulemaking proposal is aimed at achieving some of the VOC emission reductions necessary to achieve the ozone standards.

The Department proposes to adopt the United States Environmental Protection Agency’s (EPA) federal regulation for GDFs outlined in 40 CFR Part 63 Subpart CCCCCC (Subpart 6C). This includes the required use of federal “enhanced” Stage I vapor recovery systems at large GDFs with annual gasoline throughputs of 1,200,000 gallons or more, submerged filling, dual-point vapor control systems, new performance test methods and best management practices. Incorporation of these federal requirements into state regulation will bring consistency to the regulated community. These same federal Stage I vapor recovery systems requirements are also being proposed for medium-sized GDFs in the New York City Metropolitan Area (NYMA) with annual gasoline throughputs of between 800,000 and 1,200,000 gallons per year. The NYMA is currently designated as a serious ozone nonattainment area and further reductions in VOC emissions are necessary to achieve the NAAQS for ground level ozone. The required decommissioning of all Stage II vapor recovery systems at all GDFs is also being proposed due to equipment incompatibility with On-board Refueling Vapor Recovery (ORVR) systems. All proposed changes are necessary to promote attainment of the 2008 and 2015 8-hour ozone NAAQS.

1. **Effects on Small Businesses and Local Governments.** Costs to local governments for several of the larger cities, counties, or local municipalities across the state will be the same as those for all GDFs. However, the majority will not be affected by many of the costs associated with the proposed rule changes due to low annual throughputs. The same applies to small businesses. GDFs with low annual throughputs will be exempt from many of the proposed requirements. Since the regulatory amendments will apply equally to all subject entities, the proposed changes will not impose any mandate specific to small businesses or local governments.

2. **Compliance Requirements.** Local governments and small businesses are required to comply with the same requirements as all GDFs throughout the state.

3. **Professional Services.** Small businesses and local governments are required to comply with the same requirements as all GDFs throughout the state. Some professional services like those from gasoline dispensing equipment contractors and testers will be required. The same is true for all GDFs throughout the state.

4. **Compliance Costs.** There are no additional compliance costs for small businesses and local governments as a result of this rulemaking. Local governments and small businesses are required to comply with the same requirements as all GDFs throughout the state.

5. **Economic and Technological Feasibility.** These changes are not expected to have unfair or adverse impacts on small businesses or local governments since the same requirements will apply statewide.

6. **Minimizing Adverse Impact.** The proposed rulemaking is intended to create air quality benefits for the entire state through the reduction of ozone forming pollutants. These changes are not expected to have unfair or adverse impacts on small businesses or local governments since the same requirements will apply statewide. The proposed regulation ensures a fair and level playing field for all GDF owners.

7. **Small Business and Local Government Participation.** Small businesses and local governments are not specifically adversely affected by the proposed revisions. The proposed rulemaking changes apply to GDF owners and/or operators throughout the entire state in varying degrees

depending upon the annual throughput of the GDF. The Department held public meetings in which industry stakeholders, including small businesses and local governments, were presented with a draft of the proposed regulatory changes. Comments received during this period were taken into consideration when drafting the final rule. Additionally, further stakeholder input was received, considered, and implemented where appropriate during the formal State Administrative Procedures Act comment period.

#### **Revised Rural Area Flexibility Analysis**

New York faces a significant public health challenge from ground-level ozone, which causes health effects ranging from respiratory disease to death. In response to this public health problem, New York has enacted a series of regulations designed to control ozone and its chemical precursors which include volatile organic compounds (VOCs). To lower emissions that affect ozone formation, New York State is proposing to repeal and replace 6 NYCRR Part 230 to limit VOC emissions from gasoline dispensing sites and transport vehicles. A gasoline dispensing site is a federally regulated Gasoline Dispensing Facility (GDF) with gasoline storage tank(s) greater than 250 gallons. As part of this rulemaking, changes are also being proposed to Table 1 of Part 200.9 to incorporate by reference applicable federal and California Air Resources Board (CARB) test methods; inspection procedures; and gasoline tanker truck marking, reporting and record retention provisions.

The New York State Department of Environmental Conservation (Department) is revising the State Implementation Plan (SIP) to demonstrate how New York State will attain the 8-hour ozone National Ambient Air Quality Standards (NAAQS). The emission reductions resulting from proposed Part 230 are necessary to help attain the 2008 and 2015 ozone NAAQS. SIP revisions will include the establishment of new and/or revised control requirements for emissions of the precursors of ground level ozone pollution – Nitrogen Oxides and VOCs. This rulemaking proposal is aimed at achieving some of the VOC emission reductions necessary to achieve the ozone NAAQS.

The Department proposes to adopt EPA's federal regulation for GDFs outlined in 40 CFR Part 63 Subpart CCCCCC (Subpart 6C). This includes the federal requirements for the use of "enhanced" Stage I vapor recovery systems at large GDFs with annual gasoline throughputs of 1,200,000 gallons or more, submerged filling, dual-point vapor control systems, new performance test methods and best management practices. Incorporation of these federal requirements into state regulation will bring consistency to the regulated community. In addition, to achieve greater VOC emission reductions, the Department proposes to extend the same federal requirements to medium-sized GDFs located in the New York City Metropolitan Area (NYMA) with annual gasoline throughputs between 800,000 and 1,200,000 gallons per year. The NYMA is designated as a moderate ozone nonattainment area and further reductions in VOC emissions will help achieve the NAAQS for ground level ozone. The required decommissioning of Stage II vapor recovery systems at all GDFs is also being proposed due to equipment incompatibility with On-board Refueling Vapor Recovery (ORVR) systems. All proposed changes are necessary to help achieve attainment of the 2008 and 2015 8-hour ozone NAAQS throughout New York State.

1. Types and estimated number of rural areas: Rural areas are found in much of upstate New York. In addition to the statewide requirements for large and medium-sized GDFs, this proposed rulemaking will impose minor new requirements on rural area GDFs with annual gasoline throughputs of 120,000 gallons or greater. Most notably, all GDFs must comply with the requirement for submerged filling equipment and best management practices. Submerged filling is an existing requirement of the New York State Fire Code for all stationary top-loaded gasoline storage tanks with a capacity greater than 60 gallons and best management practices is a federal requirement. Rural area GDFs will not be unfairly or adversely affected by the revisions to Part 230. This proposal will apply on a statewide basis.

2. Reporting, recordkeeping and other compliance requirements; and professional services: The regulatory changes to Part 230 and Part 200 will apply on a statewide basis. Rural area GDFs are not expected to be unfairly or adversely affected by these revisions. The proposed rulemaking will impose minor reporting and recordkeeping requirements on most GDF owners and/or operators as well as testers of gasoline dispensing equipment. This requirement applies to all sources and not just those in rural locations. GDF owners and/or operators will need to submit additional information regarding site location and throughput when submitting required test reports. Documentation must also be provided to the Department upon completion of decommissioning procedures for Stage II vapor recovery systems. Test companies will need to submit self-certification forms to the Department prior to conducting performance testing. All GDF owners and/or operators, not just rural area GDF owners and/or operators, will require professional services from time to time from GDF equipment contractors and testers.

3. Costs: Rural areas are not expected to be unfairly or adversely af-

fected by these changes. Since most of the costs are due to equipment upgrades, the cost to GDF owners associated with the proposed regulations will vary depending on site condition and will likely be lower for smaller GDFs often located in rural areas.

4. Minimizing adverse impact: The proposal is not anticipated to have an unfair or adverse effect on rural areas. The rulemaking is intended to create air quality benefits for the entire state, including rural areas, through the reduction of ozone forming pollutants. The regulation ensures a fair and level playing field for all GDF owners and/or operators as well as for all manufacturers, contractors and testers of gasoline dispensing equipment.

5. Rural area participation: Rural areas will not be adversely affected by the proposed changes. The changes proposed apply to GDF owners and/or operators throughout the entire state. The Department held public meetings for industry stakeholders to present a draft of the proposed regulatory changes at various locations throughout the state. These locations were convenient for persons from rural areas to participate. Comments received during this period were taken into consideration when drafting the final rule. Additionally, further stakeholder input was received, considered, and implemented where appropriate during the formal State Administrative Procedures Act comment period.

#### **Revised Job Impact Statement**

The edits made to the Express Terms do not require any changes to the JIS.

#### **Initial Review of Rule**

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

#### **Assessment of Public Comment**

Seven commenters commented on the proposed new Part 230 and Part 200. This document summarizes those comments and the Department's responses.

##### **General**

Three commenters expressed appreciation for the opportunity to comment. The Department thanks those commenters for their participation in the rulemaking process.

##### **Timing**

Two commenters expressed concern that the Department is forging ahead with new regulations during a pandemic, imposing new costs and compliance mandates at a time when retail sales are low, and many are unemployed. The Department emphasized that most of the gasoline dispensing facilities (GDFs) and gasoline transport vehicles in the State already must comply with the requirements in the proposal due to federal regulations and State Fire Codes already in place. The new Part 230 will only impose new minimal requirements on medium-sized GDFs located in an area of the state not meeting the National Ambient Air Quality Standards (NAAQS) required under the Clean Air Act (CAA).

##### **Opportunity for Public Participation**

Three commenters felt that the cancellation of the scheduled public hearings by government order prevented an important public participation opportunity to comment on the proposed new rule. The Department explained that the original public comment period was extended by 30 days to accommodate this and that, along with the stakeholder meetings held early in the process, was enough time to allow meaningful input. This is especially true, given that written comments are given the same consideration as oral comments provided in public hearings.

One commenter was concerned about not receiving a response to an information request in time to review and comment on the proposal before the close of the comment period. The Department confirmed that a response to an information request filed on the closing day of the public comment period did not allow enough time for the Department to provide a response by the closing day of the comment period.

##### **Regulatory Clarification**

One commenter asked for an explanation of the proposed changes. The Department referenced the express terms and supporting documents that fully outline the proposal.

One commenter was confused by use of the term "phase-in" requirements used in the current Part 230 to reference the registration of GDFs as it was once used by EPA to refer to the increased use of on-board refueling vapor recovery (ORVR)-equipped vehicles. The Department clarified its meaning as it pertains to the supporting documents.

One commenter asked for clarification on the required certification for those performing vapor tightness testing. The Department explained that the self-employed would also be required to self-certify if contracted to perform these tests.

One commenter asked for clarification on the varying number of GDFs referenced throughout the supporting documents. The Department made clear that the number of GDFs affected by a specific requirement differs due to varying applicability.

One commenter pointed out the misuse of the term “moderate” versus “serious” to describe nonattainment areas of the state in two places within the supporting documents. The Department corrected the status in those documents.

One commenter asked for clarification on the compliance dates specified in the proposed new Part 230. The Department verified a compliance date of 6 months for those GDFs that become subject to federal Stage I vapor recovery requirements and a compliance date of 12 months after the effective date of the rule for the removal of Stage II vapor recovery systems.

#### Justification for Regulatory Changes

One commenter suggested that the opportunity for job growth as a result of the proposal for those servicing GDFs may be a driving force for the rule changes. The Department explained that the goal of the rulemaking was to reduce emissions of volatile organic compounds (VOCs) in New York State and that job growth in this sector is merely a consequence of a proposed regulation designed to protect the environment.

#### Beyond the Federal Rule

One commenter requested justification for the proposal exceeding the federal GDF standards. The Department defended its position to require medium-sized GDFs in an ozone nonattainment area of the state to comply with federal Stage I vapor recovery requirements to help the state meet the NAAQS and reasonably available control technology (RACT) requirements established under the CAA.

#### Emissions

Three commenters expressed that the estimated emission reductions for this proposal are low and would have a very small impact on air quality. The commenters also pointed out that current air quality in New York State is improved as a result of the stay home orders due to the pandemic. Based on the preceding, commenters concluded that new regulations to control air pollutant emissions are unnecessary. The Department conveyed that the state faces a significant health challenge from the effects of ground-level ozone caused, in part, by emissions of gasoline vapors and the importance of reducing any amount of pollutant emissions as necessary. The commenters were also reminded that the CAA requires RACT for VOC sources in areas that do not meet the NAAQS and that New York is required to include permanent enforceable and verifiable emission reductions in the State Implementation Plan (SIP) and we cannot assume that temporary changes in emissions due to the pandemic will become permanent.

#### Compliance Costs

Two commenters were concerned that the costs imposed by the regulatory changes were underestimated and that some were unjustified. The Department explained that cost estimates were obtained from various GDF service providers currently doing business in New York State and costs can vary from vendor to vendor. It was emphasized that costs are associated with the requirement for medium-sized GDFs in the New York Metropolitan area (NYMA) to comply with the federal Stage I vapor recovery standards but that no new costs are being imposed as a result of any other requirements in the proposed new Part 230.

One commenter suggested high cost for continuous monitoring controls was a regulatory burden. The Department clarified that continuous monitoring of the vapor space was not part of the proposed new Part 230.

Two commenters expressed concerns that submerged fill pipes and dual-point collection systems on all gasoline storage tanks would be overly burdensome on industry. The Department clarified that these vapor control requirements are already mandated for all GDFs in the state by the New York State Fire Code and the federal regulations in 40 CFR Part 63 Subpart CCCCC (Subpart 6C).

One commenter argued that the removal of Stage II vapor recovery systems was unnecessary. The Department countered that the removal of these systems is being proposed due to equipment incompatibility with ORVR systems installed on approximately 96% of vehicles in the state. Leaving them in place is causing excess emissions of VOC into the atmosphere and the decommissioning of these systems will help New York State attain the ozone standard.

#### Cost/Benefit Analysis

Three commenters recommended that the Department redo the cost/benefit analysis that was performed as part of the proposal citing lower emissions from GDFs due to less gas being pumped as result of the pandemic. The Department stressed that the NYMA is still in nonattainment for the ozone NAAQS and emission sources of VOC are required to implement RACT to reduce those emissions under the CAA. The Department further emphasized that New York State is required to include permanent enforceable and verifiable emission reductions in the SIP and cannot base controls on temporary changes in emissions.

#### Impact on Small Businesses

Two commenters conveyed that most GDFs are small business being unfairly targeted and adversely affected by the proposed regulation. The Department stated that the proposal is not expected to have unfair or

adverse impacts on small businesses since the requirements will apply statewide, in varying degrees, to all GDFs and that the regulation was intended to create air quality benefits for the entire state.

One commenter challenged the estimation of cost savings from the proposal and asserted that any benefits would be in the form of jobs for GDF service providers. The Department explained the cost savings realized by eliminating the need to maintain costly Stage II vapor recovery systems and by reducing lost gasoline product due to the incompatibility of these systems.

One commenter expressed concern that the proposed regulatory changes would impose significant and costly burdens on upstate GDF owners and operators. The Department confirmed there would be no new costs or compliance burdens for any GDFs outside the NYMA as a result of this proposal since these facilities are already subject to these requirements under the New York State Fire Code and the federal GDF regulation.

#### Suggested Alternatives to Proposal

Three commenters expressed that the Department should rescind the current proposal and merely adopt the federal regulation in Subpart 6C. The Department pointed out that a major part of the proposal is adoption of the federal requirements and that not adopting current federal requirements would leave the regulated community with overlapping and contradictory requirements. The regulation goes beyond federal requirements in regards to medium sized GDFs in the NYMA in order to provide necessary emissions reductions in an area of the state that is in nonattainment.

#### Requests for Additional Information

One commenter requested information on the modeling that was used to demonstrate when the New York State vehicle fleet would be in “wide-spread use” – meaning when Stage II was determined to be no longer useful in reducing emissions of VOCs. The Department referenced the analysis performed in 2011 which included modeling of the fleet and explained that the results of that analysis were forwarded to EPA for approval to allow removal of Stage II vapor recovery systems.

#### Outside Scope of Rulemaking

Several comments were received that were outside the scope of this rulemaking.

## NOTICE OF ADOPTION

### Consumer Products

**I.D. No.** ENV-06-20-00019-A

**Filing No.** 8

**Filing Date:** 2021-01-12

**Effective Date:** 30 days after filing

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of Parts 200 and 235 of Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, sections 1-0101, 3-0301, 3-0303, 19-0103, 19-0105, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 71-2103 and 71-2105

**Subject:** Consumer Products.

**Purpose:** Reduce Volatile Organic Compound emissions from Consumer Products – those products used in the average household.

**Substance of final rule:** The Division of Air Resources is revising 6 NYCRR Part 235, “Consumer Products” (Part 235) to reduce volatile organic compound (VOC) emissions, improve air quality, and promote regional product consistency. The revisions will help the state attain federal National Ambient Air Quality Standards, and work toward regionally consistent regulations amongst the Ozone Transport Commission (OTC) states.

The revisions include adding nine new product categories and revising ten existing categories in order to reduce the VOC content of the products through lower VOC content limits. Part 200 will be revised to incorporate referenced materials, including American Society for Testing Materials (ASTM) testing procedures, the California Air Resources Board (CARB) provisions supporting this regulation, and to update references to Part 235. Part 235 will be revised to incorporate new definitions and revise some categories in the existing definitions. Additionally, Subpart 235-3 will be updated to add new VOC limits, conform to the revised definitions and product categories, and to remove obsolete text and references.

Changes throughout the proposal include a January 1, 2022 compliance date for the new VOC limits on new and reformulated products in the regulation. Likewise, changes were made in the definitions section to provide transitional language, where necessary, for those categories of products that were redefined or revised, to cite which emission standards apply before or after the compliance date of the regulation.

The revisions include setting VOC content limits for nine new product



categories and lowering the VOC content limits for ten existing product categories. New product categories include definitions for the following terms: aromatic compound, artist's solvent or thinner, automotive windshield cleaner, high temperature coating, industrial maintenance coating, paint thinner, sanitizer, temporary hair color, and zinc rich primer. Revised definitions include: contact adhesive, electronic cleaner, fabric protectant, floor polish or wax, general purpose cleaner, general purpose degreaser, lubricant, multi-purpose solvent, oven or grill cleaner, and rubber or vinyl protectant.

The lower VOC limits will be applied to adhesives, some automotive cleaners and solvents, disinfectants, household floor and furniture cleaners, paint thinners and some hair care products, among other product categories, as follows:

'Product Category'	'VOC Content Limit' ('percent by weight')		
	Manufactured on or after January 1, 2005	Manufactured on or after January 1, 2010	Manufactured on or after January 1, 2022
Adhesives:			
Construction, Panel, and Floor Covering	15		7
Air Fresheners:			
Dual Purpose Air Freshener / Disinfectant			60
Anti-static Product:			
Aerosol			80
Non-aerosol		11	
Automotive Brake Cleaner[s] or Brake Cleaner	45		10
Automotive Windshield Cleaner			35
Bathroom and Tile Cleaners:			
All Other Forms	5		n/a
Non-Aerosol			1
Carburetor or Fuel-Injection Air Intake Cleaners	45		10
Disinfectant:			
Aerosols			70

'Product Category'	'VOC Content Limit' ('percent by weight')		
	Manufactured on or after January 1, 2005	Manufactured on or after January 1, 2010	Manufactured on or after January 1, 2022
Non-Aerosols			1
Engine Degreasers:			
Aerosols	35		10
Floor Polishes/Waxes:			
Products for Flexible Flooring Materials	7		1
Products for Nonresilient Flooring	10		1
Furniture Maintenance Products:			
Aerosols	17		
All Other Forms Except Solid or Paste	7		n/a
Non-Aerosol (Except Solid or Paste)			3
General Purpose Cleaners:			
Aerosols	10		8
General Purpose Degreasers:			
Aerosols	50		10
Laundry Starch Products	5		4.5
Multi-Purpose Solvent			3
Nail Polish Remover	75		1
Oven or Grill Cleaners:			
Aerosol/Pump Sprays	8		
Liquids	5		
Non-Aerosols			4
Paint Thinner			3
Sanitizer:			
Aerosol			70
Non-Aerosol			1
Shaving Gel		7	4
Temporary Hair Color:			
Aerosol			55

**Final rule as compared with last published rule:** Nonsubstantial changes were made in sections 235-2.1(v), (w), (ae), (bf), (bn), (cs), (cv), (dp), (dv), (eb), (ew), (ey), (fq), (gk), 235-3.1(a), (e), (o) and (p).

**Text of rule and any required statements and analyses may be obtained from:** Kenneth Newkirk, P.E., NYSEDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3255, (518) 402-8396, email: air.regs@dec.ny.gov

**Additional matter required by statute:** Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form and a Coastal Assessment Form have been prepared and are on file.

#### **Summary of Revised Regulatory Impact Statement**

##### **1. INTRODUCTION**

The New York State Department of Environmental Conservation (Department) Division of Air Resources (DAR) revised 6 NYCRR Part 235, "Consumer Products" (Part 235), to reduce volatile organic compound (VOC) emissions, improve air quality, and promote regional consistency. The revisions will help the state comply with federal Clean Air Act (CAA) requirements pertaining to attainment and maintenance of the ozone National Ambient Air Quality Standards (NAAQS), and maintain regional product consistency in accordance with a memorandum of understanding (MOU) dated June 3, 2010 among the Ozone Transport Commission (OTC) states. The revisions include adding new categories and revising others in order to make the New York regulation consistent with the 2010 OTC model rule as amended through 2013 and regulations adopted by nearby states. Additionally, 6 NYCRR Subpart 235-3, "Standards" (Subpart 235-3) will be updated to conform to the revised definitions and product categories, and to remove obsolete text and references. This proposal will also make attendant changes to 6 NYCRR Part 200, "General Provisions" (Part 200).

##### **2. STATUTORY AUTHORITY**

The statutory authority for the promulgation of Part 235 and the attendant revision to Part 200 is found in the New York State Environmental Conservation Law (ECL) Sections 1-0101, 3-0301, 3-0303, 19-0103, 19-0105, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 71-2103, and 71-2105.

##### **3. LEGISLATIVE OBJECTIVES**

Article 19 of the ECL was enacted to safeguard the air resources of New York from pollution and ensure protection of the public health and welfare, the natural resources of the state, and physical property by integrating industrial development with sound environmental practices. It is the policy of the State to require the use of all available, practical and reasonable methods to prevent and control air pollution in New York. To facilitate this objective, the Legislature granted specific powers and duties to the Department, including the power to adopt and promulgate regulations to prevent, control and prohibit air pollution. The provisions cited above clearly provide the Department with the requisite authority to adopt this regulation.

##### **4. NEEDS AND BENEFITS**

New York faces a significant public health challenge from ground-level ozone, which causes health effects ranging from respiratory disease to death. In response to this public health concern, New York has enacted a series of regulations designed to control ozone and its chemical precursors, including VOCs. In an effort to achieve reductions of VOC emissions in the state, New York has promulgated regulations under Part 235 to limit the VOCs emitted by a group of household and commonly used products, collectively known as consumer products.

##### **A. Background**

The Department estimates that 164,200 tons of VOCs were released in the state during 2014 from consumer products and architectural and industrial maintenance coatings.<sup>1</sup> It is essential that the Department adopt stringent consumer product emissions limitations to protect human health and the environment. The current version of the consumer products regulations in New York State is based on a 1996 version of regulations effective in California as required by Section 183 of the Clean Air Act. 42 USC 7511b.

In order to reduce VOCs from consumer products in California, the South Coast Air Quality Management District (SCAQMD) adopted a rule in March 2009 to reduce the VOC content of paint thinners and multi-purpose solvents to 300 grams per liter (g/l) effective January 1, 2010 and then to 25 g/l effective January 1, 2011. The California Air Resources Board (CARB) amended its consumer products regulation to limit VOCs in certain product categories to 30 percent VOC by weight, as of December 31, 2010, and to a limit of three percent, by December 31, 2013. CARB's regulation also provided a three-year sell-through period in which noncompliant solvents, produced before the compliance deadline, could be sold.

In order to adopt the California regulations on the east coast, DAR staff led the OTC process to develop a new consumer products model rule, largely based on Suggested Control Measures (SCM) developed by CARB. The final model rule, for use by all OTC states, supports the application of consistent product standards amongst states to address the regional nature in which consumer products are sold and distributed. On

June 3, 2010, the OTC adopted a Resolution wherein member states agreed to pursue, as necessary and appropriate, state-specific rulemakings to update rules in accordance with the 2010 OTC Consumer Products Model Rule. The 2010 OTC Model Rule was revised on May 10, 2012 to include CARB's limits for multi-purpose solvents and paint thinners based on the CARB 2009 Consumer Products Regulatory Amendments. The OTC revised the model rule again on May 21, 2013 with a minor amendment that did not affect emissions calculations.

To adopt the limits in the 2010 OTC Model Rule as amended through 2013, Part 235 must be revised to add new categories and revise others. New categories include: "Artist's Solvent/Thinner," "Paint Thinners and Multi-Purpose Solvents," and "Dual Purpose Air Freshener/Disinfectant." Revised categories include the definitions of "Air Freshener" and "Sanitizer" in order to include a category of "Dual Purpose Air Freshener/Disinfectant," and revising the definition of "Oven Cleaner" to become "Oven or Grill Cleaner." A new definition of "Zinc Rich Primer" is also included in the rule. The Table of Standards (Subpart 235-3) will be updated to conform to the revised definitions and product categories, and to remove obsolete text and references. The revisions will also provide adequate lead time to manufacturers to comply with the rule and will not be applied retroactively.

##### **B. Benefits**

Revisions to Part 235 are expected to reduce VOC emissions from products used throughout the state. As a result of these product formulation revisions, the amount of VOC released to the air is expected to be reduced by 5.3 tons per day (approximately 1900 tons per year). Since emissions from consumer products are highest in population centers, the reduction in the New York City metropolitan area, where the ozone standard is exceeded, is expected to be 3.4 tons per day.

##### **5. COSTS**

The changes are not expected to have any significant impacts on production costs and the Department does not expect manufacturers to pass on the cost of compliance to consumers in the form of increased retail prices. The new product formulations are already available for sale in the marketplace and the rule should have no adverse impact on consumer costs.

Adoption of this proposal would promote consistency with other states in the northeast and uniformity of product requirements and would help eliminate different versions of the regulatory standards being applied to products in the states in the northeast; thereby reducing the costs and complexities of compliance across markets with different product VOC requirements.

##### **6. LOCAL GOVERNMENT MANDATES**

The regulations would not impose any additional mandates on local governments. The products will be distributed in the same manner as they have been, and the responsibility to provide products compliant with the regulation lies upon the manufacturers and distributors of the products. This is not a mandate on local governments pursuant to Executive Order 17.

##### **7. PAPERWORK**

The regulations would not impose any paperwork burdens on the regulated community. The products will be distributed in the same manner as they have been, and the responsibility to provide products compliant with the regulation lies upon the manufacturers and distributors of the products. No additional paperwork is required by manufacturers or sellers.

##### **8. DUPLICATION**

While there are federal rules for consumer products, enacted September 11, 1998, the provisions of the existing and final regulations create requirements above and beyond the limits in the federal rule in order to address air quality improvement efforts in New York.

##### **9. ALTERNATIVES**

DEC considered four alternatives to the rule:

1) No Action. The severity of New York State's air quality problems requires more VOC reductions than this option would provide.

2) New York could adopt some, but not all, of the proposed amendments. Given the regional nature of consumer product sales and distribution, and commitments by the Department to the other OTC states to adopt consistent regulations, this option is preferred.

3) New York could revert to federal emissions standards. The severity of New York State's air quality problems requires more VOC reductions than this option would provide.

4) New York could go further and adopt the current CARB standards, which exceed the consensus limitations developed in the OTC model rule process. This would make New York consistent with only California, and would make it difficult for manufacturers to comply with the regulations in the Northeast. It would also create a difficult enforcement scenario because of the regional nature in which products are sold and distributed.

##### **10. FEDERAL STANDARDS**

The EPA adopted national consumer product standards in September 1998. The OTC model rule amendments, which form part of the basis of

## 11. COMPLIANCE SCHEDULE

<sup>1</sup> VOC emissions from architectural and industrial maintenance coatings are regulated under Part 205.

The New York State Department of Environmental Conservation (Department) Division of Air Resources (DAR) revised 6 NYCRR Part 235, “Consumer Products” (Part 235), to reduce volatile organic compound (VOC) emissions, improve air quality, and promote regional consistency. The revisions will help the state comply with federal Clean Air Act (CAA) requirements pertaining to attainment and maintenance of the ozone National Ambient Air Quality Standards (NAAQS), and maintain regional product consistency in accordance with a memorandum of understanding (MOU) dated June 3, 2010 among the Ozone Transport Commission (OTC) states<sup>1</sup>. The revisions include adding new categories and revising others in order to make the New York regulation consistent with the 2010 OTC model rule as amended through 2013 and regulations adopted by nearby states. Additionally, 6 NYCRR Subpart 235-3, “Standards” (Subpart 235-3) will be updated to conform to the revised definitions and product categories, and to remove obsolete text and references. This proposal will also make attendant changes to 6 NYCRR Part 200, “General Provisions” (Part 200).

## 1. EFFECT OF RULE

## 2. COMPLIANCE REQUIREMENTS

### 3. PROFESSIONAL SERVICES

#### 4. COMPLIANCE COSTS

There are no specific cost impacts for continuing compliance with the regulation for small businesses or local governments.

## 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY

## 6. MINIMIZING ADVERSE IMPACT

ments, rural areas, or small businesses by applying consistently to all areas of the state. Manufacturers have developed and made available consumer products that meet the standards in California, Connecticut, Delaware, Maryland, and New Hampshire.

The Department does not anticipate any significant adverse impacts on small businesses or local governments as a result of this rulemaking. Additionally, the Department has already undertaken efforts to minimize any potential impacts by conducting outreach with stakeholders and the Ozone Transport Commission states, and considered all public comments received during the rulemaking process.

## 7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

The rule is based upon the 2010 OTC model rule as amended through 2013 and developed by the Ozone Transport Commission for adoption by member states. The OTC effort was undertaken to provide public and private interests the opportunity to participate in the development of the model rule in order to ease implementation of the regulations and provide consistent product formulations throughout the region.

Potentially affected entities, including those involved in small businesses and local governments, were given the opportunity to review and comment on the draft rulemaking in accordance with State rulemaking requirements, and all comments received were considered during the development of the requirements.

## 8. CURE PERIOD OR AMELIORATIVE ACTION

No additional cure period or other opportunity for ameliorative action is included in the revisions to Part 235. This proposal will not result in immediate violations or impositions of penalties for existing facilities. To help reduce impacts on affected sources the rule streamlines compliance by establishing a single compliance date for all categories subject to the rule, to be January 1, 2022.

## 9. INITIAL REVIEW

The initial review of this rule shall occur no later than in the third calendar year after the year in which the rule is adopted.

<sup>1</sup> See OTC Website - [http://www.otccair.org/document.asp?Fview=Formal Actions for document "MOU\\_adoption\\_of\\_new\\_regional\\_controls\[1\]\[1\].pdf"](http://www.otccair.org/document.asp?Fview=Formal%20Actions%20for%20document%20%22MOU_adoption_of_new_regional_controls%5B%5D%22.pdf%22)

### *Revised Rural Area Flexibility Analysis*

The New York State Department of Environmental Conservation (Department) Division of Air Resources (DAR) revised 6 NYCRR Part 235, “Consumer Products” (Part 235), to reduce volatile organic compound (VOC) emissions, improve air quality, and promote regional consistency. The revisions will help the state comply with federal Clean Air Act (CAA) requirements pertaining to attainment and maintenance of the ozone National Ambient Air Quality Standards (NAAQS), and maintain regional product consistency in accordance with a memorandum of understanding (MOU) dated June 3, 2010 among the Ozone Transport Commission (OTC) states<sup>1</sup>. The revisions include adding new categories and revising others in order to make the New York regulation consistent with the 2010 OTC model rule as amended through 2013 and regulations adopted by nearby states. Additionally, 6 NYCRR Subpart 235-3, “Standards” (Subpart 235-3) will be updated to conform to the revised definitions and product categories, and to remove obsolete text and references. This proposal will also make attendant changes to 6 NYCRR Part 200, “General Provisions” (Part 200).

## 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS

The regulation applies statewide, and as such, will apply consistently to all rural areas throughout the state.

## 2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

The compliance requirements will apply statewide to any person who sells, supplies, offers for sale, or manufactures consumer products for use in the State of New York. There are no reporting, recordkeeping or other compliance requirements nor any need for professional services based specifically on a person's or manufacturer's location in rural areas of the state. The rule requires specified consumer products to be formulated, manufactured and sold in compliance with the standards in the regulation, and that manufacturers produce compliant products. The revisions establish a single compliance date, January 1, 2022, for all categories subject to the rule.

### 3. COSTS

The Department does not anticipate any capital or annual costs to comply with the rule that are specific to rural areas of the state since product formulations under the regulation will apply to all areas of the state consistently. There are no specific cost impacts for public nor private entities in rural areas of the state.

#### 4. MINIMIZING ADVERSE IMPACT

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products have developed and marketed products that meet the standards in California, Connecticut, Delaware, Maryland, and New Hampshire.

#### 5. RURAL AREA PARTICIPATION

The Department developed the regulation after the Ozone Transport Commission developed the model rule to be applied to the northeast states. The OTC effort was undertaken to enable public and private interests to participate, to ease implementation of the regulations, and to provide consistent product formulations throughout the region.

Additionally, potentially affected entities in all areas, including rural, were given the opportunity to review and comment on the draft rulemaking in accordance with State rulemaking requirements, and all comments received were considered during the development of the requirements. Because the regulation applies consistently throughout the state, adoption or modification of procedural rules will be consistent throughout the state.

#### 6. INITIAL REVIEW

The initial review of this rule shall occur no later than in the third calendar year after the year in which the rule is adopted.

<sup>1</sup> See OTC Website - [http://www.otcair.org/document.asp?Fview=Formal Actions for document "MOU\\_adoption\\_of\\_new\\_regional\\_controls\[1\]\[1\].pdf"](http://www.otcair.org/document.asp?Fview=Formal%20Actions%20for%20document%20%22MOU_adoption_of_new_regional_controls%5B1%5D.pdf%22)

#### Revised Job Impact Statement

The New York State Department of Environmental Conservation (Department) Division of Air Resources (DAR) revised 6 NYCRR Part 235, "Consumer Products" (Part 235), to reduce volatile organic compound (VOC) emissions, improve air quality, and promote regional consistency. The revisions will help the State comply with federal Clean Air Act (CAA) requirements pertaining to attainment and maintenance of the ozone National Ambient Air Quality Standards (NAAQS), and maintain regional product consistency in accordance with a memorandum of understanding (MOU) dated June 3, 2010 among the Ozone Transport Commission (OTC) states'. The revisions include adding new categories and revising others in order to make the New York regulation consistent with the 2010 OTC model rule as amended through 2013 and regulations adopted by nearby states. Additionally, 6 NYCRR Subpart 235-3, "Standards" (Subpart 235-3) will be updated to conform to the revised definitions and product categories, and to remove obsolete text and references. This proposal will also make attendant changes to 6 NYCRR Part 200, "General Provisions" (Part 200).

#### 1. NATURE OF IMPACT

There will be little, if any impact on jobs and employment opportunities in the State. Manufacturers of consumer products have developed and market products that would meet these standards in California, Connecticut, Delaware, Maryland and New Hampshire, where rule limits identical to DEC's rule have already been adopted.

#### 2. CATEGORIES AND NUMBERS AFFECTED

There will be little, if any impact on any specific category of jobs or employment opportunities in the State. Retail outlets will continue to sell consumer products, with slight changes in formulation already developed for and available in California, Connecticut, Delaware, Maryland, and New Hampshire.

#### 3. REGIONS OF ADVERSE IMPACT

The regulation applies statewide, and as such, there will be no disproportionate adverse impact on existing jobs, nor will it disproportionately promote the development of new employment opportunities. Therefore, the Department does not anticipate any region-specific adverse impacts.

#### 4. MINIMIZING ADVERSE IMPACT

The Department does not anticipate any significant adverse impacts on existing jobs nor on the promotion of new employment opportunities as a result of this rulemaking. Additionally, the Department has already undertaken efforts to minimize any potential impacts by conducting outreach with stakeholders and the Ozone Transport Commission states, and reviewed all public comments received during the rulemaking process.

#### 5. SELF-EMPLOYMENT OPPORTUNITIES

The adoption of revised Part 235 is not expected to result in negative impacts to self-employment opportunities.

#### 6. INITIAL REVIEW

The initial review of this rule shall occur no later than in the third calendar year after the year in which the rule is adopted.

<sup>1</sup> See OTC Website - [http://www.otcair.org/document.asp?Fview=Formal Actions for document "MOU\\_adoption\\_of\\_new\\_regional\\_controls\[1\]\[1\].pdf"](http://www.otcair.org/document.asp?Fview=Formal%20Actions%20for%20document%20%22MOU_adoption_of_new_regional_controls%5B1%5D.pdf%22)

#### Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

#### Assessment of Public Comment

##### General:

Comment 1: Supports the adoption of regionally consistent consumer products regulations based on the OTC Model Rule. (Commenter 1)

Comment 2: Supports the proposed new or revised VOC limits. (Commenter 1)

Response to Comments 1 and 2: The Department thanks you for your support of this rulemaking.

Comment 3: The Department is not focusing on the largest emission sources and should pay attention to other emission sectors. (Commenter 2)

Response to Comment 3: The Department is addressing numerous emission sources in several ways in order to reduce ozone, including by regulating products that contain ozone precursor pollutant emissions. Difficulty in reaching the ozone standard requires that all sectors be addressed, and that reductions be obtained from all sources of volatile organic compounds, including consumer products. Recent research by the National Oceanic and Atmospheric Administration, in 2018, has indicated that the use of volatile chemical products (VCPs) – including pesticides, coatings, printing inks, adhesives, cleaning agents, and personal care products – now constitutes half of VOC emissions in industrialized cities.

##### Effective Date:

Comment 4: There is insufficient time from the publication date of the final rule and the January 1, 2021 effective date of the regulation, considering the need for product manufacturers and distributors to comply with the regulation. (Commenter 1)

Response to Comment 4: The Department based these Part 235 revisions on a model rule developed cooperatively with the Ozone Transport Commission. While products regulated in Part 235 are currently available for sale in California and various east coast states, the Department recognizes that manufacturers and distributors may still require additional time in order to address distribution issues and provide compliant products to retail outlets. The Department is revising the rule to change the compliance date to January 1, 2022.

##### Technical Corrections:

Comment 5: The Department should make the following technical correction to Section 235-3.1(e) in the final regulation – "(e) 'Products registered under FIFRA'. For those consumer products that are registered under the Federal Insecticide, ... in this Subpart is January 1, 2011 2022." (Commenter 1)

Response to Comment 5: The Department has made this technical correction. Because the compliance deadline has been changed from January 1, 2021 to January 1, 2022 (see Response to comment 4), this date has also been changed (to January 1, 2023). The commenter correctly pointed out that the date for products registered under FIFRA should be one year beyond the general compliance deadline.

##### Sell Through of Products:

Comment 6: The Department should revise Section 235-3.1(o) to provide a reasonable sell-through limitation for the five product categories that are subject to new regulatory requirements." Commenter recommends the following revisions to Section 235-3.1(o)(1) in the final regulation:

"(1) Effective January 1, 2021, no person shall sell, supply, ...or grill cleaner manufactured on or after January 1, 2021, that contains..." (Commenter 1)

Response to Comment 6: After reviewing comments and hearing legitimate concerns from manufacturers, the Department is revising the rule to include a sell through provision to allow manufacturers to sell existing stock of products that were manufactured before the compliance date (also revised, now January, 1, 2022). Also, see response to Comment 4.

Commenter #1 – HCPA – The Household and Commercial Products Association

Commenter #2 – Jim Murray [adkmurray@yahoo.com](mailto:adkmurray@yahoo.com)

### NOTICE OF ADOPTION

#### Regulations Governing Commercial Fishing for Tautog (Blackfish)

I.D. No. ENV-12-20-00001-A

Filing No. 15

Filing Date: 2021-01-12

Effective Date: 2021-01-27

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of Part 40 of Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, sections 13-0105 and 13-0340-d

**Subject:** Regulations governing commercial fishing for Tautog (blackfish).

**Purpose:** To revise regulations concerning the commercial harvest of Tautog in New York State.

**Text of final rule:** Existing paragraph 40.1(a)(7) is repealed.

A new paragraph 40.1(a)(7) is added to read as follows:

(7) The 'tautog tagging season' means the period of time when commercial tautog tags may be applied to legally harvested tautog. The season shall run from April 16 through January 25.

Existing subdivision 40.1(o) of 6 NYCRR is amended to read as follows:

Existing paragraph 40.1(o)(4) is amended to read as follows:

(4) No individual may possess tautog in storage in the waters of the marine and coastal district in excess of the commercial possession limit[.] unless the individual submits trip reports for all live stored tautog, as specified in subparagraph (5)(iv) of this subdivision, to the department within twenty-four hours of landing. Individuals must retain copies of submitted trip reports for inspection onboard their vessel during the tagging season.

A new paragraph 40.1(o)(5) is added to read as follows:

(5) Commercial Tagging Requirements.

(i) All commercially harvested tautog must be tagged with a single-use serialized tag as specified by the department. Only tags issued for the tautog tagging season in which the fish was harvested may be applied to tautog. Tags must be applied to one of the tautog's gill plates with the tag information visible on the outside of the fish. Tags must be applied prior to any commercially harvested species from the trip being offloaded or transferred to shore, to another vessel, to an in-water storage unit, or to any pier, wharf, dock or similar structure.

(ii) Possession of a valid food fish license, issued pursuant to section 13-0335 of the Environmental Conservation Law, is required to be eligible to order tags. A tag order must be submitted and approved by the department before any tags can be issued. The license holder may be required to pay a fee not to exceed 35 cents per tag issued to the license holder. Any required fee for the tags must be paid in full before tags will be issued to the license holder. No refunds or replacements will be made for tags which are lost, damaged, returned, confiscated, or stolen. After the license holder's initial tag order, the license holder must account for eighty percent of the tags the license holder has been issued during the current tagging season before the license holder's next tag order can be approved. Tags must be accounted for through trip reports or damaged tags returned to the department. Failure to account for over twenty percent of the tags issued to the license holder during the current tagging season will result in the department denying any additional tag orders for the current tagging season. A license holder whose tag order has been denied may submit an excessive loss application, on a form provided by the department, for the opportunity to receive one additional tag order during that tagging season.

(iii) The maximum number of tags that may be issued in a single tag order is the highest historical number of tautog reported as landed in one calendar year by the license holder during one of the previous three calendar years immediately preceding the year of issue. For purposes of determining the amount of reported landings, only the following documented landings will be counted: landings submitted to the department through state vessel trip reports, federal vessel trip reports, and landings submitted electronically through the Atlantic Coastal Cooperative Statistics Program. A license holder who is unable to document a history of tautog landings in one of the three calendar years immediately preceding the year of issue, is eligible to submit one tag order per business week for a maximum of 50 tags per tag order.

(iv) In addition to the trip reporting requirements in subdivision 40.1(c), food fish license holders harvesting tautog must also include the following information in their trip reports: the tautog tag serial numbers used for the trip, the weight of the tautog (in pounds), and the number of tautog taken. License holders who operate federally permitted vessels and harvest tautog must complete and submit the State copy of their fishing vessel trip report (NOAA Form No. 88-30) to the department for each commercial tautog trip. License holders must submit their final tautog report, along with the NY Tautog Tag Accounting Form, by February 15 for the previous tagging season. License holders who fail to submit complete and accurate reports to the department by February 15 may not be eligible to receive tautog tags for the following tagging season.

(v) It is unlawful to reuse or alter any tautog tag. Any license holder who loses tags must report the loss to the department on their fishing reports or through a form provided by the department within twenty-four hours. Tautog tags are non-transferable, and it is unlawful for any person to possess tautog tags issued to another license holder, except as a designated agent to pick up and deliver a tag order from the department. At no time may a designated agent be in possession of another license holder's tags while onboard a vessel or in possession of tautog.

(vi) All food fish license holders who are issued tautog tags must return any unused or damaged tags to the department by February 15 after the tagging season for which they were issued. A license holder who fails to return unused tags may not be eligible to receive tautog tags for the following tagging season.

(vii) It is unlawful to sell, or offer for sale, untagged whole tautog.

It is unlawful to sell, or offer for sale, tautog fillets or parts unless the tagged carcass from which such fillets or parts were removed is present and available for inspection. Possession of untagged tautog, or tautog fillets or parts without the properly tagged carcass, in establishments where fish are sold or offered for sale (including wholesale establishments, retail establishments, and restaurants) is presumptive evidence of the intent to sell, trade, or barter such tautog. All New York harvested tautog which are tagged during the tautog tagging season may be offered for sale, trade, or barter through March 15. After March 15, tautog tagged during the previous tautog tagging season must not be offered for sale, trade or barter.

(viii) Tautog legally harvested from other states, that are tagged with serially numbered tags provided by the state of origin, may be sold or offered for sale if the tautog meets all applicable provisions of the Environmental Conservation Law.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 40.1(a)(7).

**Text of rule and any required statements and analyses may be obtained from:** Rachel Sysak, Department of Environmental Conservation, 205 North Belle Mead Rd., Suite 1, East Setauket, NY 11733, (631) 444-0469, email: rachel.sysak@dec.ny.gov

**Revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

The final text of the adopted rule contains a minor technical change from the original Emergency/Proposed Rule Making which was published in the State Register on March 25, 2020 (I.D. Number: ENV-12-20-00001-EP). Paragraph 40.1(a)(7) is amended to provide a clarification regarding the definition of tautog tagging season.

The Regulatory Impact Statement, Regulatory Flexibility Analysis for Small Businesses and Local Governments, Rural Area Flexibility Analysis, and Job Impact Statement that were previously published remain accurate and do not require revision to address the nonsubstantive change incorporated as part of this Notice of Adoption.

#### Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

#### Assessment of Public Comment

The agency received no public comment.

## PROPOSED RULE MAKING HEARING(S) SCHEDULED

### Chlorpyrifos Prohibition

I.D. No. ENV-04-21-00007-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** Amendment of Part 326 of Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, sections 1-0101, 3-0301 and 33-0303

**Subject:** Chlorpyrifos prohibition.

**Purpose:** Prohibit distribution, sale, purchase, possession, or use of pesticides that contain the active ingredient chlorpyrifos.

**Public hearing(s) will be held at:** 6:00 p.m., March 30, 2021 at electronic webinar.

Instructions on how to "join" the hearing webinar and how to provide an oral statement may be accessed at the proposed regulations webpage for Part 326, available at: <https://www.dec.ny.gov/chemical/121988.html>. Instructions will also be available on the Department's events calendar at: <https://www.dec.ny.gov/calendar/>

Persons who wish to receive the instructions by mail or telephone may call DEC at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 326 public comment hearing.

Interpreter services for hearing impaired persons or persons with limited English proficiency will be provided at no charge upon written request submitted no later than March 16, 2021. The written request must be addressed to ALJ Sherman, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Sherman at [ohms@dec.ny.gov](mailto:ohms@dec.ny.gov).

**Interpreter Service:** Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.



**Accessibility:** All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

**Text of proposed rule:** 6 NYCRR Part 326 is amended to read as follows:

Section 326.1 through Paragraph 326.2(c)(14) remains unchanged.

Paragraph 326.2(c)(15) through Paragraph 326.2(c)(16) is amended to read as follows:

(15) Thallium; [or]

(16) Toxaphene; or

A new paragraph (17) is added to subdivision 326.2(c) to read as follows:

(17) after July 31, 2021, Chlorpyrifos.

Subdivision 326.2(d) through Section 326.26 remains unchanged.

**Text of proposed rule and any required statements and analyses may be obtained from:** Scott Menrath, P.E., NYS Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-7254, (518) 402-8788, email: scott.menrath@dec.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** Five days after the last scheduled public hearing.

**Additional matter required by statute:** Pursuant to Article 8 of the ECL, the State Environmental Quality Review Act, an Environmental Assessment Form, determination of significance (negative declaration), and Coastal Assessment Form have been prepared and are on file with the Department.

**This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.**

**Summary of Regulatory Impact Statement (Full text is posted at the following State website: <https://www.dec.ny.gov/regulations/regulations.html>):**

#### 1. LEGISLATIVE OBJECTIVES

The New York State Assembly and Senate passed legislation in 2019 amending Section 33-1301 of the New York Environmental Conservation Law to completely prohibit the use of chlorpyrifos by December 1, 2021. This legislation was intended to add a new subdivision to phase out use of chlorpyrifos over two years. However, the Governor vetoed the bill and directed the New York State Department of Environmental Conservation (DEC), the State agency responsible for pesticide registration and enforcement, to adopt regulations to prohibit the use of pesticide products containing chlorpyrifos based upon data available on chlorpyrifos exposures. To accomplish this directive the DEC is proposing a regulation that will prohibit the sale, possession, and use of pesticide products containing chlorpyrifos to protect environmental resources, pollinators, pesticide applicators, agricultural workers, and the public.

#### 2. NEEDS AND BENEFITS

To protect the environment, natural resources, and people from the potential impacts from pesticide products with the active ingredient chlorpyrifos the DEC will amend paragraphs and add a new paragraph to section 326.2 of 6 NYCRR Part 326 to prohibit the distribution, sale, purchase, possession, or use of pesticide products containing the active ingredient chlorpyrifos.

#### 3. COSTS

Costs to Industry:

This proposed rulemaking designates pesticide products containing chlorpyrifos as prohibited pesticides. Since businesses will not be able to use chlorpyrifos and pesticide applicators may need to use alternative pesticides and/or additional pest management practices that may be more expensive or less cost effective. Fiscal information received from the agricultural industry and educational institutions indicate that alternatives to chlorpyrifos for agricultural pest control purposes can cost substantially more per acre to control certain pests. For example, at the lower label rates, some alternatives to chlorpyrifos may cost up to ten times more per acre and at the higher label rates the alternative may cost almost two to three times more per acre.

For some agricultural pests there are few or no available alternatives to chlorpyrifos. In these cases, costs may increase at least temporarily until alternative products are available or integrated pest management techniques are developed. Although the costs may be more per acre to apply alternative pesticides, it is common practice for applicators to rotate pesticide active ingredients and pest management methods in order to minimize the possibility of pests developing resistance to one type of pesticide product or active ingredient. Therefore, in general, switching from one product to another is a normal business practice which may already be accounted for by growers and applicators who use chlorpyrifos.

There are also some costs to registrants and distributors of chlorpyrifos products who may have to recall or arrange for reverse distribution of their products from customers. Without reverse distribution, customers who already have the products will have to dispose of them. There is also the possibility of at least a temporary disruption of business as well as costs to

develop redistribution networks to ensure the product is not sold into the state.

Costs to DEC and the State:

The regulatory costs of this prohibition lie with DEC for implementation and administration of the regulatory program. Initially it is anticipated that this prohibition may increase costs through staff time associated with compliance assistance efforts. It is anticipated that this will decrease as existing stocks of chlorpyrifos decrease.

Pesticide costs for invasive species and public health pest control by state agencies may increase for the same reasons as the costs to industry associated with the use of alternative products and methods. Alternatives may be more expensive than the chlorpyrifos products, but it is anticipated that the cost impacts will generally be minimal as pesticides are generally used in rotation with other pesticides and pest management methods.

Costs to Local Governments:

Local governments may need to use alternative pesticides, if they are unable to use chlorpyrifos. If this occurs, alternatives may be more expensive than the chlorpyrifos products, but it is anticipated that the cost impacts will generally be minimal as pesticides are generally used in rotation with other pesticides and pest management methods.

#### 4. LOCAL GOVERNMENT MANDATES

This proposal does not directly mandate the expenditure of funds by local government agencies.

#### 5. PAPERWORK

This proposal does not require any paperwork.

#### 6. DUPLICATION

The proposed regulations will not duplicate any other federal or state regulations or statutes. The proposal is a prohibition related to the sale, possession, and use of chlorpyrifos in New York.

#### 7. ALTERNATIVES

The no action alternative would continue to allow the sale, possession, and use of pesticide products containing chlorpyrifos that may have impacts on the environment, natural resources, and people. This alternative was rejected since it did not provide enough protection for the environment, natural resources, and people of the State.

Limiting the use of pesticide products containing chlorpyrifos for only critical pest management needs where no other pest management alternatives are available may still have impacts on the environment, natural resources, and people. Therefore, this alternative was rejected.

#### 8. FEDERAL STANDARDS

Under the Federal Insecticide, Fungicide, and Rodenticide Act, (FIFRA), specifically 7 U.S.C. 136v, a State may regulate the sale or use of any federally registered pesticide in the State but only if and to the extent the regulation does not permit any sale or use prohibited by FIFRA. Currently, chlorpyrifos is registered with EPA, allowing it to be sold and used in New York and other states. This proposal would exceed the federal minimum standards in that the sale and use of chlorpyrifos would be prohibited in New York.

#### 9. COMPLIANCE SCHEDULE

Compliance with this proposed rulemaking will be required upon the effective date of the final rule.

#### 10. INITIAL REVIEW OF RULE

The Department will conduct an initial review of the rule within three years as required by SAPA § 207.

#### Regulatory Flexibility Analysis

##### 1. EFFECT OF RULE

The purpose of this proposed rulemaking is to prohibit the distribution, sale, purchase, possession, or use of pesticide products containing the active ingredient chlorpyrifos.

Pesticides containing the active ingredient chlorpyrifos may impact environmental resources, pollinators, pesticide applicators, agricultural workers, and the public. The proposed rulemaking is not expected to significantly impact local governments. However, it may have a minimal impact if local governments are required to find an alternative to chlorpyrifos containing pesticide product to control a pest. It is not anticipated that local governments will have any regulatory responsibilities associated with this proposed rulemaking, since pesticides are primarily regulated by the Department.

Small businesses, including agricultural businesses, may be impacted by this proposed rulemaking. This proposed rulemaking prohibits the distribution, sale, purchase, possession, or use of pesticide products containing the active ingredient chlorpyrifos. Therefore, other pesticides and pest management practices may be necessary, which may be less cost effective for small businesses. In these cases, the increased costs may already be factored into business planning since pesticide applicators already traditionally rotate different pesticide products to prevent pesticide resistance.

##### 2. COMPLIANCE REQUIREMENTS

Small businesses and local governments would no longer be permitted to distribute, sell, purchase, possess, or use pesticide products containing the active ingredient chlorpyrifos.

### 3. PROFESSIONAL SERVICES

There is no anticipated need for additional professional services for local governments or small businesses associated with this proposed rulemaking.

### 4. COMPLIANCE COSTS

The anticipated costs to small business and local governments should not be significant, but costs for small business and local government may increase somewhat due to their inability to apply pesticide products with chlorpyrifos as an active ingredient. Alternative pesticides may cost more than pesticide products counting chlorpyrifos as an active ingredient or may require additional applications for similar levels of pest control, potentially increasing costs. In many cases these increased costs should already be factored into business expenses since pesticide applicators traditionally rotate different pesticide products to prevent pesticide resistance. There may also be some costs to small distributors of chlorpyrifos products who may have to send these products back to the registrants or otherwise potentially dispose of them.

### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY

DEC has focused on proposing this regulation in a manner that is technically sound and economical. In order to minimize any economic impacts, the timing of the effective date of the rule will allow for certain agricultural uses into the beginning of the 2021 agricultural use season. This timeframe will give local governments and industry time to research and adopt new pest control alternatives or technologies while still allowing for critical pest control needs in 2021.

### 6. MINIMIZING ADVERSE IMPACT

The proposed rulemaking is not expected to have adverse impacts on local governments or small businesses in New York State. The proposed rulemaking minimizes any adverse impacts on small businesses and local governments by limiting this revision to one active ingredient.

### 7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

In addition to comprehensive internal review, the DEC has conducted informal meetings and calls with interested parties associated with this proposed rulemaking.

### 8. CURE PERIOD OR OTHER OPPORTUNITY FOR AMELIORATIVE ACTION

Compliance with this proposed rulemaking will be required upon the effective date of the final rule.

### 9. INITIAL REVIEW OF RULE

The Department will conduct an initial review of the rule within three years as required by SAPA § 207.

### *Rural Area Flexibility Analysis*

#### 1. TYPES AND NUMBERS OF RURAL AREAS AFFECTED

The proposed regulations apply statewide, including rural areas of the State. All areas of the State, including rural areas, will not be significantly affected directly or indirectly by the proposed rulemaking.

#### 2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

The proposed rulemaking is intended to prohibit the distribution, sale, purchase, possession, or use of pesticide products containing the active ingredient chlorpyrifos. It does not include any recordkeeping or other compliance requirements.

#### 3. COSTS

This proposal does not directly mandate the expenditure of funds by any sector of local government. The proposed regulations will not directly impose any significant service, duty or responsibility upon any county, city, town, village, school district or fire district in a rural area.

Costs for business and local governments may increase based upon pesticide selection and the inability for businesses and local governments to apply pesticide products containing the active ingredient chlorpyrifos. Alternative pesticides may cost more than the pesticides covered by this proposed regulation or may require additional applications for similar levels of pest control, potentially increasing costs. In many cases these increased costs should already be factored into business and local government economic plans since pesticide applicators traditionally rotate different pesticide products to prevent pesticide resistance. There may be minimal costs associated with the research associated with the selection of alternative pesticide products or pest control practices. There may also be some costs to small rural distributors of chlorpyrifos products who may have to send these products back to the registrants or otherwise potentially dispose of them.

#### 4. MINIMIZING ADVERSE IMPACTS

The proposed rulemaking is not expected to have significant rural area adverse impacts in New York State. In order to minimize any potential adverse impacts to rural communities the timing of the effective date of the rule will allow for certain agricultural uses into the beginning of the 2021 agricultural use season. This timeframe will give industry and agricultural businesses time to research and adopt new pest control alternatives while still allowing for critical pest control needs in 2021.

### 5. RURAL AREA PARTICIPATION

DEC has conducted informal meetings and calls with interested parties associated with this proposed rulemaking, including those in rural areas.

### 6. INITIAL REVIEW OF RULE

DEC will conduct an initial review of the rule within three years as required by SAPA § 207.

### *Job Impact Statement*

#### 1. NATURE OF IMPACT

There should be no impact on jobs associated with this proposed regulatory amendment. In most cases there are alternative pesticides or practices to chlorpyrifos to control pests, but in the few cases where there are no alternatives, or few alternatives available, research and new product development and practices will find replacements for these products. Consequently, the proposed amendment should not inhibit the growth of or employment in the pesticide and agricultural industry.

#### 2. CATEGORIES AND NUMBERS OF JOBS OR EMPLOYMENT OPPORTUNITIES AFFECTED

The implementation of the proposed regulation is not expected to have an adverse impact on jobs or employment opportunities. In most cases alternative practices and products to chlorpyrifos containing pesticides are available. In situations where alternative pesticides or practices are not currently available research and product development will provide for future pest control needs. Nothing being proposed is expected to result in diminished economic activity, which typically results in adverse impacts on employment opportunities.

#### 3. REGIONS OF ADVERSE IMPACT

There is no region of the State expected to be adversely impacted from the proposed pesticide regulations more so than any other. All certified pesticide applicators and pesticide dealers must adhere to the same requirements regardless of where they are located.

#### 4. MINIMIZING ADVERSE IMPACT

The proposed regulations are not expected to have an adverse impact on jobs and employment opportunities. The Department already regulates pesticide sales and use, and in several other cases have already prohibited active ingredients through regulation to protect the public, natural resources, and the environment.

#### 5. SELF-EMPLOYMENT OPPORTUNITIES

The proposed regulations are not expected to negatively impact self-employment opportunities for the pest control and agricultural industry.

#### 6. INITIAL REVIEW OF RULE

The Department will conduct an initial review of the rule within three years as required by SAPA § 207.

## PROPOSED RULE MAKING HEARING(S) SCHEDULED

### Food Donation and Food Scraps Recycling

I.D. No. ENV-04-21-00008-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** Addition of Part 350 to Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, art. 1, title 1, art. 3, title 3, art. 27, title 22, and art. 71, title 27

**Subject:** Food Donation and Food Scraps Recycling.

**Purpose:** Required by title 22 of article 27, the rule increases food donation and the recycling of food scraps through composting.

**Public hearing(s) will be held at:** 1:00 p.m. and 6:00 p.m., April 7, 2021 at electronic webinar.

Instructions on how to "join" the hearing webinar and how to provide an oral statement may be accessed at the proposed regulations webpage for the Department, available at: <https://www.dec.ny.gov/regulations/proprotegrations.html#public>. Instructions will also be available on the Department's events calendar at: <https://www.dec.ny.gov/calendar/>

Persons who wish to receive the instructions by mail or telephone may call DEC at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 350 public comment hearing.

Interpreter services for hearing impaired persons or persons with limited English proficiency will be provided at no charge upon written request submitted no later than March 24, 2021. The written request must be addressed to ALJ Caruso, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Caruso at [ohms@dec.ny.gov](mailto:ohms@dec.ny.gov).

**Interpreter Service:** Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request

must be addressed to the agency representative designated in the paragraph below.

**Accessibility:** All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

**Substance of proposed rule (Full text is posted at the following State website: <http://www.dec.ny.gov/regulations/proproregulations.html>):** A new 6 NYCRR Part 350 is proposed to be adopted to implement the Food Donation and Scraps Recycling Law enacted in 2019 in Title 22 of Article 27 of the Environmental Conservation Law.

Subpart 350-1 provides the general provisions that apply to the Part including purpose, exemptions, prohibitions, definitions, inspection, and severability. In accordance with the law, the exemptions include cities with a population of one million or more, hospitals, nursing homes, adult care facilities, and elementary and secondary schools.

Subpart 350-2 outlines the requirements that apply to designated food scraps generators. The Subpart outlines how designated food scraps generators are determined and the requirements for those generators. The requirements include the need to donate excess food, to recycle food scraps if an organics facility is available, and annual reporting. The Subpart also includes a temporary waiver provision for generators that can demonstrate a need to be excluded from the requirements of the law.

Subpart 350-3 clarifies that the lists of generators, organic recyclers, and transporters will be maintained by the Department.

Subpart 350-4 outlines the requirements that apply to transporters, organic recyclers, transfer facilities, landfills, and combustion facilities. These requirements mandate that once the food scraps are separated by the generator they must be ultimately recycled and not disposed.

**Text of proposed rule and any required statements and analyses may be obtained from:** Sally Rowland, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-7253, (518) 402-8678, email: [sally.rowland@dec.ny.gov](mailto:sally.rowland@dec.ny.gov)

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** April 27, 2021.

**Additional matter required by statute:** Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form, a Negative Declaration and a Coastal Assessment Form have been prepared and are on file.

#### **Regulatory Impact Statement**

##### **Introduction**

The Department is proposing to adopt 6 NYCRR Part 350 to implement the Food Donation and Scraps Recycling Law, which was enacted in 2019. The law takes effect on January 1, 2022 and requires large generators of food scraps to donate excess edible food and recycle all remaining food scraps if they are located within 25 miles of an organics recycler. Food scraps generators may petition the Department for a one-year waiver from these requirements.

##### **1. Statutory Authority**

The proposed regulations are derived directly from Title 22 of Article 27 of the Environmental Conservation Law (ECL). The statutory authority to implement the regulations is found under ECL title 1 of article 1; title 3 of article 3; and title 27 of article 71. The relevant statutory provisions are summarized below.

ECL section 1-0101 declares a policy of the State to conserve, improve and protect its natural resources and environment and to prevent, abate and control water, land and air pollution in order to enhance the health, safety and welfare of the people and their overall economic and social well-being.

ECL Section 3-0301 empowers the Department to adopt regulations as may be necessary to carry out the environmental policy of the State set forth in Section 1-0101.

##### **ECL Article 27, Title 22 Food Donation and Food Scraps Recycling.**

Section 27-2201. Definitions. This section provides the definitions needed to implement the statute including capacity, combustion facility, department, designated food scraps generator, food processing waste, food scraps, intermediary facility, landfill, maximum extent practicable, onsite, organic recycler, person, single location, transfer facility, transporter, and vector.

Section 27-2203. Designated food scraps generator responsibilities. Effective January 1, 2022, this section outlines the responsibilities of the generators including the requirement to donate excess edible food to the maximum extent practicable; the requirement to separate food scraps from other waste and to send food scraps to an organics recycler if one exists within 25 miles with sufficient capacity; and an exclusion from the separation requirement if the recycler to whom food scraps are sent can process municipal waste.

This section also requires generators to submit an annual report to the Department, beginning on March 1, 2023. The annual report is submitted electronically and must summarize the food donated and information concerning food scraps recycling.

To ensure that a generator is not unduly burdened financially by the statute, this section also includes a waiver provision. A generator can petition the Department for a waiver from compliance due to cost, the availability of an organics recycler and other factors.

Section 27-2205. Waste transporter responsibilities. This section requires waste transporters that collect food scraps from designated food scraps generators to deliver the food scraps to an organics recycling facility or to an intermediary such as a depackaging facility or a transfer facility that will then send the food scraps to a recycler.

Section 27-2207. Transfer facility. This section requires transfer facilities that accept food scraps from designated food scraps generators to send the food scraps to an organics recycler.

Section 27-2209. Food scraps disposal prohibition. This section requires incinerators and landfills to take all reasonable precautions to not accept food scraps from designated food scraps generators.

Section 27-2211. Department responsibilities. This section outlines the responsibility of the Department. The Department must publish information on its website concerning how designated food scraps generators are determined, how the waiver process works, how odors and vectors can be minimized, and a list of all facilities and transporters.

The Department is required to assess the capacity of all organics recyclers annually and to notify generator if they qualify as designated food scraps generators.

The Department must also develop educational materials for the affected generators and on waste minimization.

Section 27-2213. Regulations. The Department must promulgate regulations that include the methodology the department will use to determine who is a designated food scraps generator; the waiver process; procedures to minimize odors and vectors; a list of all designated food scraps generators, organics recyclers, and all waste transporters that manage source-separated organics; and how designated food scraps generators will comply.

Section 27-2215. Exclusions. Cities with a population of one million or more (if they continue to implement their own law), hospitals, nursing homes, adult care facilities, and elementary and secondary schools are not subject to Article 27, Title 22 of the ECL or this Part.

Section 27-2217. Annual Report. Beginning January 1, 2023, requires the Department to report annually to the Governor and Legislature concerning the implementation of the statute.

##### **2. Legislative Objectives**

The New York State Legislature included the following introduction to the enabling legislation for the proposed regulations, outlining the objectives:

Approximately 40 percent of the food produced in the United States today goes uneaten. Much of this organic waste is disposed of in solid waste landfills, where its decomposition accounts for over 12 percent of our nation's emissions of methane, a potent greenhouse gas. Meanwhile, an estimated 2.8 million New Yorkers are facing hunger and food insecurity. Recognizing the importance of food scraps to our environment, economy, and the health of New Yorkers, the Food Donation and Food Scraps Recycling act establishes a food scraps hierarchy for the state of New York. The first tier of the hierarchy is source reduction, reducing the volume of surplus food generated. The second tier is recovery, feeding wholesome food to hungry people. Third is repurposing, feeding animals. Fourth is recycling, processing any leftover food such as by composting or anaerobic digestion to create a nutrient-rich soil amendment. This rulemaking will implement the legislative objectives to address each tier of the hierarchy by facilitating the prevention of food waste generation by commercial generators and residents; directing the recovery of excess edible food from high-volume commercial food waste generators; and ensuring that a significant portion of inedible food waste from large volume food waste generators is managed in a sustainable manner and is not disposed in landfills or sent to combustors. In addition, the Department has supported the recovery of wholesome food by providing grants from the environmental protection fund to increase capacity of food banks and other emergency food providers, conduct food scraps audits of high-volume generators of food scraps, support implementation of pollution prevention projects identified by food scraps audits and expand capacity of generators and municipalities to donate and recycle food.

##### **3. Needs and Benefits**

The proposed rulemaking is mandatory and required by statute.

Proposed Part 350 affects large generators of food scraps including some grocery stores, restaurants, and colleges. These designated food scraps generators are those that generate at a single location an annual average of two tons per week or more of food scraps. All designated food scraps generators must donate excess edible food and must also send food scraps to an organics recycler if one is available within 25 miles of the generator. The increase in food donation will help those in need and will result in job creation to assist the non-profits that handle food donations. The requirement that generators must recycle their food scraps by using



organics recyclers, such as composting facilities, anaerobic digesters, or depackaging facilities, will reduce the amount of food scraps that end up in landfills and ultimately produce methane, a potent greenhouse gas. Composting facilities and other organics recyclers also produce beneficial organics soil conditioners that are needed to improve the quality of poor soils and reduce erosion.

#### 4. Costs

##### a. Costs to the Regulated Parties

The proposed regulations require designated food scraps generators to donate wholesome food. Increasing food donation from large food generators will not only help those in need, it will be a financial advantage for the food establishment, such as a grocery store or restaurant. Cost savings will be realized through tax deductions and through a reduction in the cost of waste disposal since the food will no longer be disposed.

The statute and the proposed Part 350 regulations also require designated food scraps generators to send their food scraps to an organics recycler if one exists within 25 miles of the generator and the recycler has capacity, as long as the cost is reasonably competitive with disposal. Experience in other states and for some generators in New York State has shown that the cost for sending food scraps to an organics recycler compared to sending those scraps for disposal can vary greatly. The statute and the proposed regulations limit the potential cost increase on the generators. The statute allows any designated food scraps generator to seek a waiver from the Department from the need to send their food scraps to an organics recycler if the cost to recycle is not reasonably competitive with the cost of disposal. The proposed regulations define reasonably competitive to equate to a ten percent difference. Therefore, if the cost to send their food scraps to an organics recycler is more than ten percent higher than the cost for disposal, the generator can obtain a waiver from the Department. Therefore, if there is a cost increase to the generators it will be limited to an amount consistent with the requirements of the statute. In some cases, cost savings will be realized.

The statute and the proposed Part 350 regulations require the designated food scraps generators to report annually to the Department. There will be a cost associated with obtaining and maintaining the data and providing it to the Department. The cost for obtaining and maintaining the data should not increase with this proposed rulemaking because the data is already maintained by the generators for other purposes – donation data for tax purposes and waste management data for business cost management. For reporting, the proposed Part 350 follows the statute by requiring electronic reporting to decrease the burden on the generators. The Department will also provide the electronic reporting forms to be used. Therefore, the overall increased cost to the generators for recordkeeping and reporting should be minimal.

##### b. Costs to the Department, State and Local Governments

The Department, State and local governments will not incur additional costs due to the issuance of the proposed regulations. The Department will implement the regulations and develop and provide outreach and education on those requirements with existing staff.

#### 5. Local Government Mandates

There are no mandates that need to be addressed by local governments since the proposed regulations do not apply to these entities.

#### 6. Paperwork

The proposed regulations, consistent with the underlying statute, requires the designated food scraps generators to report annually to the Department, beginning on March 1, 2023. The annual report must summarize the amount of food donated with the destination and the amount of food recycled with the transporter and organics recycler used. The Department will develop a simple electronic reporting form to assist the generators in submitting the required information. The information should be readily available to the generators from Food Banks and other emergency food providers, and the food scraps haulers.

#### 7. Duplication

The proposed regulations do not duplicate, overlap, or conflict with any other State or federal requirements.

#### 8. Alternatives

The Department is required by State legislation under Title 22 of Article 27, to promulgate rules and regulations necessary to implement the provisions of the statute. Therefore, there are no other alternatives for this proposed rulemaking.

#### 9. Federal Standards

No federal standards will be exceeded by promulgating the proposed rule.

#### 10. Compliance Schedule

The statutory requirements set forth in Article 22 of the ECL take effect on January 1, 2022. The rule will be effective 30 days after filing the Notice of Adoption with the Department of State.

### **Regulatory Flexibility Analysis**

#### 1. Effect of Rule

Proposed Part 350 affects large generators of food scraps including

some grocery stores, restaurants, and colleges. These designated food scraps generators are those that generate two tons or more of food scraps per week. All designated food scraps generators must donate excess edible food and must also send food scraps to an organics recycler if one is available within 25 miles of the generator. The increase in food donation will help those in need and will result in job creation to assist the non-profits that receive and distribute food donations. The requirement that generators must recycle their food scraps by using organics recyclers, such as composting facilities, anaerobic digesters, or depackaging facilities, will increase the need for transporters and recycling facilities for the food scraps.

There are no requirements in proposed Part 350 that directly affect small businesses and local governments. The regulations may increase opportunities for the development of new small businesses, as more organics recycling facilities are needed to handle the food scraps from large generators.

#### 2. Compliance Requirements

The implementation of these regulations will not adversely affect small businesses or local governments since there are no standards or reporting and record keeping requirements for small businesses or local governments. The reporting obligations contained in the regulations apply only to large generators of food scraps.

#### 3. Professional Services

There are no professional services required for small businesses and local government.

#### 4. Compliance Costs

The proposed regulations will have no compliance costs for small businesses and local governments because the regulations do not apply to these entities.

#### 5. Economic and Technological Feasibility

There are no economic or technological feasibility issues that need to be addressed by small businesses and local governments since the proposed regulations do not apply to these entities.

#### 6. Minimizing Adverse Impact

The proposed regulations will have no adverse economic impacts on small businesses and local governments because the regulations do not apply to these entities.

#### 7. Small Business and Local Government Participation

The Department has provided significant outreach and will continue to provide a statewide outreach program to all entities affected by the regulations and other interested parties, including public and private interests in rural areas. For the generators in rural areas that may be affected the regulations, the Department has already reached out through their organizations, such as the Restaurant Association or the Food Industry Alliance, and through direct mailings and meetings. An extended public comment period for the rulemaking will be used to allow additional time for the public to review and comment on the regulations.

Since the passing of the law, the Department has held five stakeholder meetings with various stakeholder groups, including: transporters, organics recyclers, municipalities, food recovery, and environmental advocacy organizations. The Department will be presenting at the NYS Organics Summit as well as the NYS Solid Waste Federation Conference on the Food Donation & Food Scraps Recycling Law. The Department intends to continue to engage stakeholders through presentations, association meetings, and other outreach. Even before the passage of the law, the Department worked to engage stakeholders and provide guidance on food waste reduction, food donation, and food scraps recycling.

The Department's website has been updated to include a webpage on the Food Donation and Food Scraps Recycling Law in addition to the creation of a law specific email address encourages interested parties to sign up to a listserv to receive information from the Department concerning the law. The Department also releases the Solid Waste & Recycling Newsletter, through the use of DECDelivers, where important updates pertaining to the law are shared with subscribers.

#### 8. Cure Period or Other Opportunity for Ameliorative Action

No cure period is needed since the proposed regulations do not apply to small businesses or local governments.

### **Rural Area Flexibility Analysis**

#### 1. Types and Estimated Numbers of Rural Areas

For purposes of this Rural Area Flexibility Analysis (RAFA), "rural area" means those portions of the state so defined by Executive Law section 481(7). SAPA section 102(10). Under Executive Law section 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, programs and such other entities or resources as are found therein. In counties of two hundred thousand or greater population, 'rural areas' means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein." There are 44 counties in New York State (State) that have popula-

tions of less than 200,000 people and 71 towns in non-rural counties where the population densities are less than 150 people per square mile.

Proposed Part 350 affects large generators of food scraps including some grocery stores, restaurants, and colleges. The majority of these generators will not be located in rural areas. They are likely to be found in urban and suburban locations. However, there may be a few larger generators, such as a regional grocery store, that are located in rural areas of the State.

#### 2. Reporting, Recordkeeping and Other Compliance Requirements; and Professional Services

Large food scraps generators are required to report annually to the Department concerning how much food was donated and food scraps were recycled. This reporting will be done electronically to minimize the burden on the generators. Electronic forms for reporting will be provided by the Department.

The few generators that are located in rural areas will need to begin or increase food donation. Increasing food donation will provide additional food to those in need in the rural areas and will reduce waste disposal costs for the generators.

If a rural generator has a composting facility or other organics recycler within 25 miles, the generator must send their food scraps to the recycler. However, the cost of recycling must be competitive with the cost of disposal, so there should not be an economic burden on the generator.

No professional services are required for compliance with the regulations.

#### 3. Costs

##### a. Costs to the Regulated Parties

The proposed regulations require designated food scraps generators to donate wholesome edible food. Increasing food donation from large food generators will not only help those in need, it will be a financial advantage for the food establishment, such as a grocery store or restaurant. Cost savings will be realized through tax deductions and through a reduction in the cost of waste disposal since the food will no longer be disposed.

The statute and the proposed Part 350 regulations also require designated food scraps generators to send their food scraps to an organics recycler if one exists within 25 miles of the generator and the recycler has capacity, as long as the cost is reasonably competitive with disposal. Experience in other states and for some generators in New York State has shown that the cost for sending food scraps to an organics recycler compared to sending those scraps for disposal can vary greatly. The statute and the proposed regulations limit the potential cost increase on the generators. The statute allows any designated food scraps generator to seek a waiver from the Department from the need to send their food scraps to an organics recycler if the cost to recycle is not reasonably competitive with the cost of disposal. The proposed regulations define reasonably competitive to equate to a ten percent difference. Therefore, if the cost to send their food scraps to an organics recycler is more than ten percent higher than the cost for disposal, the generator can obtain a waiver from the Department. Therefore, if there is a cost increase to the generators it will be limited to an amount consistent with the requirements of the statute. In some cases, cost savings will be realized.

The statute and the proposed Part 350 regulations require the designated food scraps generators to report annually to the Department. There will be a cost associated with obtaining and maintaining the data and providing it to the Department. The cost for obtaining and maintaining the data should not increase with this proposed rulemaking because the data is already maintained by the generators for other purposes – donation data for tax purposes and waste management data for business cost management. For reporting, the proposed Part 350 follows the statute by requiring electronic reporting to decrease the burden on the generators. The Department will also provide the electronic reporting forms to be used. Therefore, the overall increased cost to the generators for recordkeeping and reporting should be minimal.

##### b. Costs to the Department, State and Local Governments

The Department, State and local governments will not incur additional costs due to the issuance of the proposed regulations. The Department will implement the regulations and develop and provide outreach and education on those requirements with existing staff.

The regulations may spur the growth of composting facilities or other organics recycling facilities in rural areas. These facilities will increase economic growth and employment opportunities in those rural areas.

#### 4. Minimizing Adverse Impact

As outlined in this analysis, it is the Department's belief that the proposed regulations will not cause a significant economic burden, place any additional burdens on rural areas, or increase the universe of regulatory requirements applicable to such rural areas.

#### 5. Rural Area Participation

The Department has provided significant outreach and will continue to provide a statewide outreach program to all entities affected by the regulations and other interested parties, including public and private interests in

rural areas. For the generators in rural areas that may be affected the regulations, the Department has already reached out through their organizations, such as the Restaurant Association or the Food Industry Alliance, and through direct mailings and meetings. An extended public comment period for the rulemaking will be used to allow additional time for the public to review and comment on the regulations.

Since the passing of the law, the Department has held five stakeholder meetings with various stakeholder groups, including: transporters, organics recyclers, municipalities, food recovery, and environmental advocacy organizations. The Department will be presenting at the NYS Organics Summit as well as the NYS Solid Waste Federation Conference on the Food Donation & Food Scraps Recycling Law. The Department intends to continue to engage stakeholders through presentations, association meetings, and other outreach. Even before the passage of the law, the Department worked to engage stakeholders and provide guidance on food waste reduction, food donation, and food scraps recycling.

The Department's website has been updated to include a webpage on the Food Donation and Food Scraps Recycling Law in addition to the creation of a law specific email address encourages interested parties to sign up to a listserv to receive information from the Department concerning the law. The Department also releases the Solid Waste & Recycling Newsletter (minimum frequency biweekly), through the use of DEC Delivers, where important updates pertaining to the law are shared with subscribers.

#### Job Impact Statement

In accordance with Section 201-a(2)(a) of the State Administrative Procedure Act, a Job Impact Statement has not been prepared for this rule making, as it is not expected to create a substantial adverse impact on jobs and employment opportunities in New York State (the State). To the contrary, proposed 6 NYCRR Part 350 is expected to create, as set forth below, a positive impact on employment opportunities.

The New York State Department of Environmental Conservation (DEC) has determined that the proposed Food Donation and Food Scraps Recycling regulations will have a positive impact on jobs and employment opportunities throughout the State. The purpose of the regulations, based on a State statute of the same name, is to increase edible food donation and food scraps recycling from generators that produce two tons or more of food scraps per week. An increase in food donation will help those in need. It will also increase the number of jobs in the non-profit sector related to the collection, storage, and distribution of wholesome food as well as those organics recycling facilities that are developed or expanded.

The following outline provides information about each section of the proposed regulations and the impact on potential employment opportunities in food donation and food scraps recycling.

Section A contains a description of the purpose and applicability, definitions, inspection criteria, and severability of Part 350. The purpose of this section is to provide background information needed for the administration of Article 27, Title 22 of the Environmental Conservation Law (ECL). There is no negative effect on the generation of employment opportunities under this section.

Section B contains the criteria applicable to designated food scraps generators (those that generate two tons or more of food scraps per week). All designated food scraps generators must donate excess edible food and must also send food scraps to an organics recycler if one is available within 25 miles of the generator. The increase in food donation will help those in need and will result in job creation to assist the non-profits that handle food donations. The requirement that generators must recycle their food scraps by using organics recyclers such as composting facilities, anaerobic digesters, or depackagers, will increase the need for transporters and recycling facilities for the food scraps. These activities will also result in job increases and economic growth.

Section C outlines the lists that will be maintained by DEC, enumerating the designated food scraps generators, food scraps transporters, and organics recycling facilities. Existing DEC staff will maintain these lists.

Section D outlines the responsibilities of the various entities involved in food scraps management including the transporters, recyclers, transfer facilities, combustors, and landfills. The requirements do not represent a significant change to these operations and will not result in job creation, reduction, or elimination.

In consideration of the foregoing, DEC concludes that adoption of this regulatory proposal for food donation and food scraps recycling will not have substantial adverse impacts on jobs within the State. Rather, with the operation of new transporters and organics recycling facilities, various employment opportunities will be created throughout the State.

## Department of Financial Services

### EMERGENCY RULE MAKING

#### Principle-Based Reserving

**I.D. No.** DFS-52-20-00001-E

**Filing No.** 6

**Filing Date:** 2021-01-11

**Effective Date:** 2021-01-11

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of Part 103 (Regulation 213) of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 307, 308, 4217 and 4517

**Finding of necessity for emergency rule:** Preservation of general welfare.

**Specific reasons underlying the finding of necessity:** In December 2018, Governor Andrew M. Cuomo signed into law a bill that added a new subsection (g) to Insurance Law Section 4217 that requires authorized life insurance companies and fraternal benefit societies (collectively, “life insurers”) to use principle-based reserving (“PBR”) for certain individual and group life insurance policies and annuity contracts upon the Superintendent of Financial Services’ (“Superintendent”) approval of the valuation manual (“Manual”) published by the National Association of Insurance Commissioners (“NAIC”), subject to the Superintendent’s adopting any amendment to the Manual by regulation.

This amendment adopts the NAIC’s 2020 Manual, clarifies and makes certain adjustments to the current regulation, and prescribes additional minimum standards for valuing statutory reserves that in the Superintendent’s opinion are necessary to comply with the Manual in order to best serve the policyholders of New York State by ensuring that the minimum standards for valuing statutory reserves are set at a level appropriate for the payment of future claims.

Statutory reserves must be reported in the annual statements that life insurers must file by March 1 each year, in accordance with Insurance Law Section 307. To ensure that life insurers are in compliance with the 2020 Manual and this amendment when filing their annual statements within the first quarter of 2021, it is imperative that this rule be promulgated on an emergency basis for the public’s general welfare.

**Subject:** Principle-Based Reserving.

**Purpose:** To prescribe minimum principle-based valuation standards.

**Text of emergency rule:** The title of section 103.3, and section 103.3(a) and (b), are amended as follows:

§ 103.3 Superintendent’s authority to require [reserve] adjustments from the valuation manual.

(a) The superintendent may require a life insurance company to change an assumption or method that in the superintendent’s opinion is necessary to comply with the requirements of the valuation manual or Insurance Law section 4217(g), and the life insurance company shall adjust the reserves as required by the superintendent. Pursuant to Insurance Law section 308, the superintendent may request information from a life insurance company in addition to the information specified in the valuation manual. The superintendent may take other disciplinary action as permitted by the Insurance Law, Financial Services Law, and any other applicable laws and regulations.

(b) For purposes of this Part, valuation manual shall have the meaning set forth in Insurance Law section 4217(g)(5).<sup>1</sup>

Section 103.5(a) is amended as follows:

(a) Scope.

(1) This section applies to the following, whether group or individual, including both life contingent and term certain only contracts, directly written or assumed through reinsurance[, with the exception of benefits arising from variable annuities]:

(i) immediate annuity contracts issued on or after January 1, 2019; 2019;

(iii) structured settlements in payout or deferred status issued on or after January 1, 2019;

(iv) fixed payout annuities resulting from the exercise of settlement options or annuitizations of host contracts [issued], for which the fixed payout annuities commence on or after January 1, 2019;

(v) supplementary contracts, excluding contracts with no scheduled payments (such as retained asset accounts and settlements at interest), issued on or after January 1, 2019;

(vi) fixed income payment streams attributable to guaranteed living benefits associated with deferred annuity and variable annuity contracts [issued], for which the fixed income payment streams commence on or after January 1, 2019, once the contract funds are exhausted; and

(vii) certificates with premium determination dates on or after January 1, 2019, under non-variable group annuity and pure endowment contracts purchased under a retirement plan or plan of deferred compensation, established or maintained by an employer, including a partnership or sole proprietorship, or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuity contracts under Internal Revenue Code section 408.

Section 103.5(c)(3)(i)(b)(1) is amended as follows:

(1) is the Daily Valuation Rate defined by Section 3.C.5 of VM-22 of the valuation manual[, where the quarterly valuation rate, denoted by  $l_q$ , is] less the amount determined in accordance with clause (a)(2) of this subparagraph for the calendar quarter preceding the business day immediately preceding the premium determination date;

The title of section 103.6 is amended as follows:

Valuation of variable annuity and hybrid annuity reserves.

Section 103.6(a)(1)(iii) is amended, (iv) is renumbered as (v), and a new (iv) is added as follows:

(iii) individual and group annuity contracts with guarantees similar in nature to GMDBs, VAGLBs, or any combination thereof; [and]

(iv) hybrid annuities; and

(v) all other insurance policies or annuity contracts that contain guarantees similar in nature to GMDBs or VAGLBs, even if the insurer does not offer the mutual funds or variable funds to which these guarantees relate, where there is no other explicit reserve requirement. If an insurer offers such a guarantee as part of an insurance policy or annuity contract that has an explicit reserve requirement and that guarantee does not currently have an explicit reserve requirement, then the minimum reserve held for the insurance policy or annuity contract shall equal the sum of:

(a) the reserve for the guarantee where for purposes of the reserve calculation, the guarantee is treated as a separate contract; and

(b) the reserve for the underlying insurance policy or annuity contract determined according to the explicit reserve requirement.

Section 103.6(b) is amended to read as follows:

(b) Effective dates and minimum valuation standards.

(1) This section is effective for all valuations on or after [January 1] December 31, 2020, regardless of when the insurance policies and annuity contracts were issued.

(2) For those insurers that do not elect to apply the optional phase-in methodology of paragraph (3)(i)(b) of this subdivision and for all valuations after the phase-in period if elected, the minimum aggregate reserve shall be the greater of:

(i) the sum of:

(a) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (d) of this section for insurance policies and annuity contracts issued prior to January 1, 2020; and

(b) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (e) of this section for insurance policies and annuity contracts issued on or after January 1, 2020; or

(ii) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by the valuation manual prior to reflecting any reinsurance ceded.

(3) Minimum valuation standards during the phase-in period for those insurers that elect to apply the optional phase-in methodology prescribed by subparagraph (i)(b) of this paragraph.

(i) For insurance policies and annuity contracts issued prior to January 1, 2020:

[(i)] (a) The minimum reserve shall be the greater of:

[(a)] (1) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (d) of this section; and

[(b)] (2) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by the valuation manual prior to reflecting any reinsurance ceded.

[(ii)] (b) At the insurer’s election, any positive amount equal to the excess of the [sum of the] aggregate minimum reserves determined in accordance with [subparagraph (i)(a) of this paragraph] clause (a) of this subparagraph over [the greater of] the aggregate minimum reserves determined in accordance with the 2017 Actuarial Guideline XLIII [and the aggregate minimum reserves determined in accordance with the valuation manual] may be established [over a three-year period beginning on January 1, 2020] as follows. To comply with the requirements of this



paragraph, such excess reserve amount shall be calculated each year and established in the following manner:

[ (a) ] (1) [one-third] *one-fifth* of the excess reserve amount shall be established by December 31, 2020;

[ (b) ] (2) [two-thirds] *two-fifths* of the excess reserve amount shall be established by December 31, 2021; [and]

(3) *three-fifths* of the excess reserve amount shall be established by December 31, 2022;

(4) *four-fifths* of the excess reserve amount shall be established by December 31, 2023; and

[ (c) ] (5) the entire minimum reserve determined in accordance with [subparagraph (i) of this paragraph] *clause (a) of this subparagraph* shall be established by December 31, [2022] 2024.

[ (3) ] (ii) The minimum reserve for insurance policies and annuity contracts issued on or after January 1, 2020 shall be the greater of:

[ (i) ] (a) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (e) of this section; and

[ (ii) ] (b) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by the valuation manual prior to reflecting any reinsurance ceded.

Section 103.6(c)(5) through (13) are renumbered as section 103.6(c)(6) through (14) and a new section 103.6(c)(5) is added as follows:

(5) *Actuarial Guideline XXXV means the "Actuarial Guideline XXXV – The Application of the Commissioners Annuity Reserve Method to Equity Indexed Annuities" published in the National Association of Insurance Commissioners' Accounting Practices and Procedures Manual as adopted by Part 83 (Insurance Regulation 172) of this Title.*

Section 103.6(c)(14) through (19) are renumbered as section 103.6(c)(16) through (21) and a new section 103.6(c)(15) is added as follows:

(15) *Hybrid annuity means an annuity contract with an investment option where the rate of return is based on an index, such as the S&P 500, and for which such return may be less than zero.*

Section 103.6(d)(1)(iv) and (v) are amended and a new section 103.6(d)(1)(vi) is added as follows:

(iv) the discount rate as defined by section A3.1(B)(2) of the 2017 Actuarial Guideline XLIII shall equal the series of one-year U.S. Treasury forward rates implied by the U.S. Treasury yield curve as of the valuation date plus 150 basis points. Forward rates beyond 30 years shall equal the thirtieth year forward rate; [and]

(v) for all guaranteed living benefits that are in the money, the lapse rates prescribed by section A3.3(C)(3) of the 2017 Actuarial Guideline XLIII shall be 3 percent per annum for each projection interval where the benefit is less than 20 percent in the money, and 1.5 percent per annum for each projection interval where the benefit is 20 percent or more in the money[.]; and

(vi) for hybrid annuities, the amounts determined in section A3.3(B)(1) and A3.3(B)(2)(a) of the 2017 Actuarial Guideline XLIII shall be determined by applying Part 99 (Insurance Regulation 151) of this Title and Actuarial Guideline XXXV. Section A.3.3(B)(2) of the 2017 Actuarial Guideline XLIII shall only be calculated for those hybrid annuity contracts with guaranteed living benefits or guaranteed death benefits.

Section 103.6(e)(1) is amended as follows:

(1) The minimum reserve for each contract is the greater of the standard scenario reserve, the cash surrender value, and the option value floor. *The option value floor shall not apply to those contracts reserved for in accordance with the alternative methodology prescribed by VM-21 of the valuation manual.*

Section 103.6(e)(2)(i) is amended as follows:

(i) for annuity contracts without any guaranteed benefits, the standard scenario reserve shall be determined by applying [section 99.9 of] Part 99 (Insurance Regulation 151) of this Title and Actuarial Guideline XXXV, as applicable;

Section 103.6(e)(2)(ii)(a) is amended as follows:

(a) is the amount determined by applying Part 99 (Insurance Regulation 151) of this Title and Actuarial Guideline XXXV, as applicable, to the annuity contract disregarding any GMDBs or VAGLBs;

<sup>1</sup> The [2019] 2020 Valuation Manual, published by the National Association of Insurance Commissioners, is hereby incorporated by reference in this Part. The [2019] 2020 Valuation Manual is readily available without charge at the following internet address: [https://www.naic.org/pbr\\_data.htm](https://www.naic.org/pbr_data.htm). The [2019] 2020 Valuation Manual is also available for public inspection and copying at the New York State Department of Financial Services, One State Street, New York, NY 10004.

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a

notice of proposed rule making, I.D. No. DFS-52-20-00001-P, Issue of December 30, 2020. The emergency rule will expire April 10, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Amanda Fenwick, Department of Financial Services, One Commerce Plaza, Albany, New York 12257, (518) 474-7929, email: [Amanda.Fenwick@dfs.ny.gov](mailto:Amanda.Fenwick@dfs.ny.gov)

#### Regulatory Impact Statement

1. Statutory authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 307, 308, 4217, and 4517.

Financial Services Law Section 202 establishes the office of the Superintendent of Financial Services ("Superintendent"). Financial Services Law Section 302 and Insurance Law Section 301, in material part, authorize the Superintendent to effectuate any power accorded to the Superintendent by the Financial Services Law, Insurance Law, or any other law, and to prescribe regulations interpreting the Insurance Law.

Insurance Law Section 307 requires, among other things, authorized insurers to file annual statements with the Superintendent, showing the insurers' financial condition, on forms prescribed by the Superintendent and in accordance with instructions prescribed by the Superintendent.

Insurance Law Section 308 authorizes the Superintendent to request special reports from authorized insurers and authorized officers thereof regarding their transactions, condition, or any matter connected therewith.

Insurance Law Section 4217 sets forth rules for the valuation of insurance policies and contracts. Insurance Law Section 4217(d) provides that reserves for all individual and group accident and health insurance policies must reflect a sound value placed on the liabilities of such policies and permits the Superintendent to issue, by regulation, guidelines for the application of reserve valuation provisions for such policies. Insurance Law Section 4217(g) requires authorized life insurance companies and fraternal benefit societies (collectively, "life insurers") to use principle-based reserving ("PBR") for certain individual and group life insurance policies and annuity contracts upon the Superintendent's approval of the National Association of Insurance Commissioners' ("NAIC's") valuation manual (the "Manual"), subject to the Superintendent's adopting any amendment to the Manual by regulation.

Insurance Law Section 4517 makes Insurance Law Section 4217 applicable to the valuation of life insurance and annuity certificates issued by fraternal benefit societies.

2. Legislative objectives: Insurance Law Section 4217 sets forth rules for the valuation of insurance policies and contracts. In December 2018, Governor Andrew M. Cuomo signed into law a bill that added a new Insurance Law Section 4217(g) to allow PBR for certain individual and group life insurance policies and annuity contracts beginning in 2019.

This amendment accords with the public policy objectives that the Legislature sought to advance in Insurance Law Section 4217(g) when it adopted PBR for life insurers by adopting the NAIC's 2020 Manual, clarifying and making certain adjustments to the regulation, and prescribing additional minimum standards for valuing statutory reserves that in the Superintendent's opinion are necessary to comply with the Manual adopted by the Superintendent and with Insurance Law Section 4217(g).

3. Needs and benefits: The Department of Financial Services ("Department") adopted its first amendment to 11 NYCRR 103 in February 2020 to conform to the 2009 revisions to the NAIC's model Standard Valuation Law and comply with the NAIC's accreditation standards.

This amendment adopts the NAIC's 2020 Manual, clarifies and makes certain adjustments to the regulation, and prescribes additional minimum standards for valuing statutory reserves that in the Superintendent's opinion are necessary to comply with the Manual to best serve the policyholders of New York State by ensuring that the minimum standards for valuing statutory reserves are set at a level appropriate for the payment of future claims.

4. Costs: The amendment may impose compliance costs on life insurers because a life insurer must adjust its reserves as the Superintendent deems necessary to comply with the amendment, including new minimum valuation requirements.

The Department also may incur costs to implement this amendment, because the Department will need to monitor reserves to ensure conformance with this amendment, the Manual, and Insurance Law Section 4217(g). However, any additional costs incurred should be minimal and the Department should be able to absorb the costs in its ordinary budget.

This amendment does not impose compliance costs on any local government.

5. Local government mandates: This amendment does not impose any program, service, duty, or responsibility upon a county, city, town, village, school district, fire district, or other special district.

6. Paperwork: This amendment imposes reporting requirements, including the VM-31 PBR Actuarial Report, related to the insurance policies and contracts subject to the minimum valuation standards prescribed by this amendment.

7. Duplication: This amendment does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

8. Alternatives: A significant alternative considered by the Department was to maintain the current valuation requirements prescribed by the first amendment to the regulation as the minimum valuation standards. However, as discussed with the life insurance industry, the Superintendent has determined that this amendment is necessary to best serve the policyholders of New York State by ensuring that the minimum standards for valuing statutory reserves are set at a level appropriate for the payment of future claims.

9. Federal standards: The rule does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: This amendment takes effect upon the filing of the Notice of Emergency Adoption with the Secretary of State.

#### **Regulatory Flexibility Analysis**

1. Effect of rule: SAPA section 102(8) defines a small business to mean “any business which is resident in this State, independently owned and operated, and employs one hundred or less individuals.” The amendment affects life insurance companies and fraternal benefit societies (collectively, “life insurers”). There may be life insurers affected by the amendment that may be small businesses.

The amendment does not affect local governments because the regulation does not apply to any local government.

2. Compliance requirements: Insurance Regulation 213 currently imposes reporting requirements related to insurance policies and contracts that are subject to the minimum valuation standards prescribed by the regulation. This amendment to the regulation prescribes additional minimum standards for valuing statutory reserves, and thus may impose additional reporting requirements, including the VM-31 PBR Actuarial Report.

No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the amendment because the regulation does not apply to any local government.

3. Professional services: A life insurer, including one that is a small business, may need to retain professional services, such as actuaries, to comply with the amendment.

No local government will need professional services to comply with the amendment because the regulation does not apply to any local government.

4. Compliance costs: The amendment may impose compliance costs on life insurers, including any life insurer that is a small business, because a life insurer must adjust its reserves as the Superintendent of Financial Services deems necessary to comply with the amendment, including new minimum valuation requirements.

No local government will incur any costs to comply with the amendment because the regulation does not apply to any local government.

5. Economic and technological feasibility: Life insurers, including any that is a small business, should not incur any economic or technological impact as a result of the amendment.

The regulation does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: The amendment uniformly affects all life insurers, including any that is a small business. The rule should not have an adverse impact on any life insurer that is a small business.

No local government should be adversely impacted by the amendment because the regulation does not apply to any local government.

7. Small business and local government participation: The Department of Financial Services (“Department”) already has proposed the regulation and complied with SAPA section 202-b(6) by posting the proposed rule on its website for informal outreach and notifying trade organizations that represent the interests of small businesses that the proposed rule had been posted. The Department complied with SAPA Section 202-b(6) by publishing the proposed amendment in the State Register and posting the proposed amendment on its website. This emergency measure replicates the proposed text of the rule making, and life insurers yet again will have an opportunity to participate in the rule making process when the Notice of Emergency Adoption is published in the State Register and posted on the Department of Financial Services’ website.

#### **Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas: Life insurance companies and fraternal benefit societies (collectively, “life insurers”) affected by this rule operate in every county in this state, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping and other compliance requirements; and professional services: Insurance Regulation 213 currently imposes reporting requirements, including the VM-31 PBR Actuarial Report, related to insurance policies and contracts that are subject to the minimum valuation standards prescribed by the regulation. This amendment to the regulation prescribes additional minimum standards for valuing statutory reserves.

Therefore, a life insurer in a rural area may need to retain professional services, such as actuaries, to comply with this rule.

3. Costs: The amendment may impose compliance costs on life insurers, including any life insurer located in a rural area, because a life insurer must adjust its reserves as the Superintendent of Financial Services deems necessary to comply with the amendment, including new minimum valuation requirements.

4. Minimizing adverse impact: This rule uniformly affects life insurers that are located both in rural and non-rural areas of New York State. The rule should not have an adverse impact on rural areas.

5. Rural area participation: Life insurers in rural areas will have an opportunity to participate in the rule making process when the Notice of Emergency Adoption is published in the State Register and posted on the Department of Financial Services’ website.

#### **Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State.

In February 2020, the Department of Financial Services adopted an amendment to 11 NYCRR 103 to conform to the 2009 revisions to the National Association of Insurance Commissioners’ (“NAIC’s”) Standard Valuation Law and comply with the NAIC’s accreditation standards. This amendment makes certain clarifications and adjustments to the present regulation, and prescribes additional minimum standards for valuing statutory reserves that in the Superintendent’s opinion are necessary to comply with the Manual.

This amendment may create new jobs or employment opportunities because life insurance companies and fraternal benefit societies may need to hire additional personnel, such as actuaries, to comply with the regulation.

## **EMERGENCY RULE MAKING**

### **Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure**

**I.D. No.** DFS-04-21-00003-E

**Filing No.** 4

**Filing Date:** 2021-01-07

**Effective Date:** 2021-01-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Addition of section 52.16(q) to Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3216, 3217, 3217-h, 3221, 4303 and 4306-g

**Finding of necessity for emergency rule:** Preservation of public health and public safety.

**Specific reasons underlying the finding of necessity:** The novel coronavirus (“COVID-19”) has spread to millions of people worldwide, with several hundred-thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has confirmed that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that insureds continue to have access to health care services in a way that limits the spread of COVID-19.

This amendment prohibits authorized insurers and health maintenance organizations (collectively, “health care plans”) that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and states that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network health care providers (“providers”) to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible for telehealth services provided.

Given the public health implications related to COVID-19, it is essential that New Yorkers continue to be able to access health care services in a way that limits the spread of COVID-19. The waiver of copayments, coinsurance, and annual deductibles for in-network telehealth services is necessary to ensure that people continue to have access to health care services in a way that limits in-person exposure. Additionally, encouraging people who do not need emergency care to use telehealth services alleviates the



stress that COVID-19 puts on our health care system, in particular, the number of patients in emergency departments. Failure to encourage the use of telehealth services could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

Since the crisis involving COVID-19 is constantly evolving, and to ensure that New Yorkers continue to have access to health care services in a way that limits the spread of COVID-19, it is imperative that this amendment be promulgated on an emergency basis for the preservation of public health.

**Subject:** Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure.

**Purpose:** To waive cost-sharing for in-network telehealth services.

**Text of emergency rule:** Section 52.16(q) is added as follows:

(q)(1) *No policy or contract delivered or issued for delivery in this State that provides comprehensive coverage for hospital, surgical, or medical care shall impose, and no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service delivered via telehealth when such service would have been covered under the policy if it had been delivered in person.*

(2) *An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.*

(3) *Telehealth means the use of electronic information and communication technologies, including the telephone, by a health care provider to deliver health care services to an insured while such insured is located at a site that is different from the site where the health care provider is located, pursuant to Insurance Law sections 3217-h and 4306-g.*

**This notice is intended** to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires March 5, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Tobias Len, Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 474-8975, email: Tobias.Len@dfs.ny.gov

#### Regulatory Impact Statement

1. Statutory authority: Financial Services Law sections 202 and 302 and Insurance Law sections 301, 3216, 3217, 3217-h, 3221, 4303, and 4306-g.

Financial Services Law section 202 establishes the office of the Superintendent of Financial Services (“Superintendent”).

Financial Services Law section 302 and Insurance Law section 301, in pertinent part, authorize the Superintendent to prescribe regulations interpreting the Insurance Law and to effectuate any power granted to the Superintendent in the Insurance Law, Financial Services Law, or any other law.

Insurance Law section 3216 sets forth the standard provisions in individual accident and health insurance policies.

Insurance Law section 3217 authorizes the Superintendent to issue regulations to establish minimum standards for the form, content and sale of health insurance policies and subscriber contracts of corporations organized under Insurance Law Articles 32 and 43 and Public Health Law Article 44.

Insurance Law sections 3217-e and 4306-g provide that an insurer or corporation may not exclude from coverage a service that is otherwise covered under a policy or contract that provides comprehensive coverage for hospital, medical or surgical care because the service is delivered via telehealth.

Insurance Law section 3221 sets forth the standard provisions in group and blanket accident and health insurance policies.

Insurance Law section 4303 sets forth mandatory benefits in subscriber contracts issued by corporations organized under Insurance Law Article 43.

2. Legislative objectives: The statutory sections cited above establish the minimum standards for the form, content, and sale of health insurance, including standards of full and fair disclosure. This proposed amendment accords with the public policy objectives that the Legislature sought to advance in the foregoing sections of the Insurance Law by prohibiting copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy.

3. Needs and benefits: COVID-19 has spread to millions of people worldwide, with several hundred thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has confirmed that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that insureds continue to have access to health care services in a way that limits the spread of COVID-19.

This amendment prohibits authorized insurers and health maintenance organizations (collectively, “health care plans”) that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and

provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy when such service is delivered via telehealth.

The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network health care providers (“providers”) in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible for telehealth services.

The Department of Financial Services (“Department”) expects every health care plan to reimburse a provider, including reimbursement for the insured’s waived copayment, coinsurance, or annual deductible, with respect to any affected claims.

Given the public health implications relating to COVID-19, it is essential that New Yorkers continue to be able to access health care services in a way that limits the spread of COVID-19. The waiver of copayments, coinsurance, and annual deductibles for in-network telehealth services is necessary to ensure that people continue to have access to health care services in a way that limits in-person exposure. Additionally, encouraging people who do not need emergency care to use telehealth services may alleviate the stress that COVID-19 puts on our health care system, in particular the increased number of patients in emergency departments. Failure to encourage the use of telehealth services could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

4. Costs: Health care plans may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates and they will need to provide written notification to in-network providers regarding this amendment. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

This amendment may impose costs on providers because they will need to ensure that insureds are not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any affected claims.

This amendment may impose compliance costs on the Department because the Department will need to review amended policy and contract forms and rates. However, any additional costs incurred by the Department should be minimal, and the Department should be able to absorb the costs in its ordinary budget.

The amendment will not impose compliance costs on any local governments.

5. Local government mandates: The amendment does not impose any program, service, duty or responsibility on any county, city, town, village, school district, fire district or other special district.

6. Paperwork: Health care plans are required to provide written notification to their in-network providers that the providers may not collect any deductible, copayment, or coinsurance for telehealth services provided. This notification may be provided electronically as part of existing communications that occur between health care plans and in-network providers. Health care plans may also need to file new policy and contract forms and rates with the Superintendent.

Providers and local governments should not incur additional paperwork to comply with this amendment.

7. Duplication: This amendment does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

8. Alternatives: There are no significant alternatives to consider.

9. Federal standards: The amendment does not exceed any minimum standards of the federal government for the same or similar subject areas. If the policy or contract is a high deductible health plan as defined in Internal Revenue Code section 223(c)(2), in-network services delivered via telehealth may be subject to the annual deductible if otherwise required by federal law.

10. Compliance schedule: The rule will take effect immediately upon filing of the Notice of Emergency Adoption with the Secretary of State.

#### Regulatory Flexibility Analysis

1. Effect of rule: This rule affects health maintenance organizations and authorized insurers (collectively, “health care plans”) and health care providers (“providers”). This amendment prohibits health care plans that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers to ensure that the providers do not require any

insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible for telehealth services provided.

Industry asserts that certain health care plans subject to the amendment are small businesses. Providers also may be small businesses. As a result, certain health care plans and providers that are small businesses will be affected by this amendment.

This amendment does not affect local governments.

2. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government.

A health care plan that is a small business affected by this amendment, if any, may be subject to reporting, recordkeeping, or other compliance requirements as the health care plan may need to file new policy and contract forms and rates with the Superintendent of Financial Services and must provide written notification of the amendment to its in-network providers.

A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment.

3. Professional services: No local government will need professional services to comply with this amendment because the amendment does not apply to any local government. No health care plan or provider that is a small business affected by this amendment should need to retain professional services, such as lawyers or auditors, to comply with this amendment.

4. Compliance costs: No local government will incur any costs to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may incur costs because it may need to file new policy or contract forms and rates and must provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider that is a small business may incur additional costs to comply with the amendment, which may include costs to ensure that the insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any affected claims.

5. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment. A health care plan and a provider that is a small business should not incur any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the amendment does not apply to any local government. This amendment should not have an adverse impact on a health care plan or provider that is a small business affected by the amendment, if any, because the amendment uniformly affects all health care plans and providers. In addition, a provider that is a small business should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any affected claims from the health care plan directly.

7. Small business and local government participation: The Department of Financial Services ("Department") notified trade associations representing health care plans that are small businesses that it intended to promulgate this amendment. Health care plans and providers that are small businesses also will have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department's website.

#### **Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas: Authorized insurers and health maintenance organizations (collectively, "health care plans") and health care providers ("providers") affected by this amendment operate in every county in this state, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: A health care plan, including a health care plan in a rural area, may be subject to additional reporting, recordkeeping, or other compliance requirements because the health care plan may need to file new policy and contract forms and rates with the Department of Financial

Services ("Department") and will be required to provide written notification of the amendment to its in-network providers.

A provider, including a provider in a rural area, may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment.

A health care plan or provider, including those in a rural area, should not need to retain professional services, such as lawyers or auditors, to comply with this amendment.

3. Costs: Health care plans and providers, including those in rural areas, may incur additional costs to comply with the amendment. A health care plan may incur additional compliance costs as it may need to file new policy and contract forms and rates with the Department and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

Providers, including those in rural areas, may incur additional costs to comply with the amendment. Those additional costs may include costs to ensure that the insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any affected claims.

4. Minimizing adverse impact: This amendment uniformly affects health care plans and providers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department notified trade associations representing health care plans that are in rural areas that it intended to promulgate this amendment. Health care plans and providers in rural areas will also have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department's website.

#### **Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment prohibits a policy or contract delivered or issued for delivery in this State that provides comprehensive coverage for hospital, surgical, or medical care from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy when such service is delivered via telehealth. As a result, there should be no impact on jobs or employment opportunities.

## **EMERGENCY RULE MAKING**

### **Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure**

**I.D. No.** DFS-04-21-00004-E

**Filing No.** 5

**Filing Date:** 2021-01-07

**Effective Date:** 2021-01-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Addition of section 52.16(p) to Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3216, 3217, 3221 and 4303

**Finding of necessity for emergency rule:** Preservation of public health and public safety.

**Specific reasons underlying the finding of necessity:** The novel coronavirus ("COVID-19") has spread to millions of people worldwide, with several hundred thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has confirmed that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that cost-sharing not serve as a barrier to testing for COVID-19.

This amendment prohibits health care plans that provide hospital, surgi-



cal, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19 and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

Since the situation regarding COVID-19 is constantly evolving, and to ensure that cost-sharing does not serve as a barrier to testing for COVID-19, it is imperative that this amendment be promulgated on an emergency basis for the preservation of public health.

**Subject:** Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure.

**Purpose:** To waive cost-sharing for in-network visits and laboratory tests necessary to diagnose the novel coronavirus (COVID-19).

**Text of emergency rule:** Section 52.16(p) is added as follows:

(p)(1) *No policy or contract delivered or issued for delivery in this State that provides hospital, surgical, or medical expense insurance coverage shall impose, and no insured shall be required to pay, copayments, coinsurance, or annual deductibles for the following services when covered under the policy or contract:*

(i) *in-network laboratory tests to diagnose the novel coronavirus (COVID-19); and*

(ii) *visits to diagnose the novel coronavirus (COVID-19) at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose the novel coronavirus (COVID-19), or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for the novel coronavirus (COVID-19), including an inpatient hospital admission, as otherwise permitted by law.*

(2) *An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.*

**This notice is intended** to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires March 5, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Tobias Len, Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 474-8975, email: Tobias.Len@dfs.ny.gov

#### Regulatory Impact Statement

1. Statutory authority: Financial Services Law sections 202 and 302 and Insurance Law sections 301, 3216, 3217, 3221, and 4303.

Financial Services Law section 202 establishes the office of the Superintendent of Financial Services ("Superintendent").

Financial Services Law section 302 and Insurance Law section 301, in pertinent part, authorize the Superintendent to prescribe regulations interpreting the Insurance Law and to effectuate any power granted to the Superintendent in the Insurance Law, Financial Services Law, or any other law.

Insurance Law section 3216 sets forth the standard provisions in individual accident and health insurance policies.

Insurance Law section 3217 authorizes the Superintendent to issue regulations to establish minimum standards for the form, content and sale of health insurance policies and subscriber contracts of corporations organized under Insurance Law Articles 32 and Article 43 and Public Health Law Article 44.

Insurance Law section 3221 sets forth the standard provisions in group and blanket accident and health insurance policies.

Insurance Law section 4303 sets forth mandatory benefits in subscriber contracts issued by corporations organized under Insurance Law Article 43.

2. Legislative objectives: The statutory sections cited above establish the minimum standards for the form, content, and sale of health insurance, including standards of full and fair disclosure. This proposed amendment accords with the public policy objectives that the Legislature sought to advance in the foregoing sections of the Insurance Law by prohibiting the imposition of copayments, coinsurance, or annual deductibles for in-

network laboratory tests to diagnose the novel coronavirus ("COVID-19") and visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital.

3. Needs and benefits: COVID-19 has spread to millions of people worldwide, with several hundred thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has confirmed that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that cost-sharing not serve as a barrier to testing for COVID-19.

This amendment prohibits authorized insurers and health maintenance organizations (collectively, "health care plans") that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19 and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law.

The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network health care providers ("providers") in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

The Department of Financial Services ("Department") expects every health care plan to reimburse a provider, including reimbursement for the insured's waived copayment, coinsurance, or annual deductible, with respect to any impacted claims.

Given the public health implications related to COVID-19, it is essential that cost-sharing does not serve as a barrier to testing for COVID-19. The waiver of copayments, coinsurance, and annual deductibles is necessary to ensure that people are not deterred from seeing a provider and getting tested for COVID-19. Failure to do so could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

4. Costs: Health care plans may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates and they will need to provide the written notification to in-network providers regarding this amendment. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

This amendment may impose costs on providers because they will need to ensure that insureds are not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

This amendment may impose compliance costs on the Department because the Department will need to review amended policy and contract forms and rates. However, any additional costs incurred by the Department should be minimal, and the Department should be able to absorb the costs in its ordinary budget.

The amendment will not impose compliance costs on any local governments.

5. Local government mandates: The amendment does not impose any program, service, duty or responsibility on any county, city, town, village, school district, fire district or other special district.

6. Paperwork: Health care plans are required to provide written notification to their in-network providers that the providers may not collect any deductible, copayment, or coinsurance for laboratory tests and visits to diagnose COVID-19. This notification may be provided electronically as part of existing communications that occur between health care plans and in-network providers. Health care plans may also need to file new policy and contract forms and rates with the Superintendent.

Providers and local governments should not incur additional paperwork to comply with this amendment.

7. Duplication: This amendment does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.



8. Alternatives: There are no significant alternatives to consider.

9. Federal standards: The amendment does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: The rule will take effect immediately upon filing of the Notice of Emergency Adoption with the Secretary of State.

#### **Regulatory Flexibility Analysis**

1. Effect of rule: This rule affects health maintenance organizations and authorized insurers (collectively, “health care plans”) and health care providers (“providers”). This amendment prohibits health care plans that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose the novel coronavirus (“COVID-19”) and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

Industry asserts that certain health care plans subject to the amendment are small businesses. Providers also may be small businesses. As a result, certain health care plans and providers that are small businesses will be affected by this amendment.

This amendment does not affect local governments.

2. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government.

A health care plan that is a small business affected by this amendment, if any, may be subject to reporting, recordkeeping, or other compliance requirements as the health care plan may need to file new policy and contract forms and rates with the Superintendent and will be required to provide written notification of the amendment to its in-network providers.

A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment at any time, including at the time services are provided.

3. Professional services: No local government will need professional services to comply with this amendment because the amendment does not apply to any local government. No health care plan or provider that is a small business affected by this amendment should need to retain professional services, such as lawyers or auditors, to comply with this amendment.

4. Compliance costs: No local government will incur any costs to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may incur costs because it may need to file new policy or contract forms and rates and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider that is a small business may incur additional costs to comply with the amendment, which may include costs to ensure that the insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed at any time, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

5. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment. A health care plan and a provider that is a small business should not incur any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the amendment does not apply to any local government. This amendment should not have an adverse impact on a health care plan or provider that is a small business affected by the amend-

ment, if any, because the amendment uniformly affects all health care plans and providers. In addition, a provider that is a small business should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims from the health care plan directly.

7. Small business and local government participation: The Department of Financial Services (“Department”) contacted trade associations representing health care plans that are small businesses before it promulgated this amendment and considered comments it received from these associations. The Department also notified trade associations representing providers that are small businesses that it intended to promulgate this amendment and considered comments it received from these associations. Health care plans and providers that are small businesses also will have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department’s website.

#### **Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas: Authorized insurers and health maintenance organizations (collectively, “health care plans”) and health care providers (“providers”) affected by this amendment operate in every county in this state, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: A health care plan, including a health care plan in a rural area, may be subject to additional reporting, recordkeeping, or other compliance requirements because the health care plan may need to file new policy and contract forms and rates with the Department of Financial Services (“Department”) and will be required to provide written notification of the amendment to its in-network providers.

A provider, including a provider in a rural area, may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment at any time, including at the time the services are provided.

A health care plan or a provider, including those in a rural area, should not need to retain professional services, such as lawyers or auditors, to comply with this amendment.

3. Costs: Health care plans and providers, including those in rural areas, may incur additional costs to comply with the amendment. A health care plan may incur additional compliance costs as it may need to file new policy and contract forms and rates with the Department and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider, including those in rural areas, may incur additional costs to comply with the amendment. Those additional costs may include costs to ensure that the insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed at any time, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

4. Minimizing adverse impact: This amendment uniformly affects health care plans and providers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department contacted trade associations representing health care plans that are in rural areas before it promulgated this amendment and considered comments it received from these associations. The Department also notified trade associations representing providers in rural areas that it intended to promulgate this amendment and considered comments it received from these associations. Health care plans and providers in rural areas will also have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department’s website.

#### **Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment prohibits policies and contracts of hospital, surgical, or medical expense insurance from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, and annual deductibles for covered in-network laboratory tests to diagnose the novel coronavirus (“COVID-19”) and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network health care provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. As a result, there should be no impact on jobs or employment opportunities.

## Department of Health

### REVISED RULE MAKING NO HEARING(S) SCHEDULED

#### Personal Care Services (PCS) and Consumer Directed Personal Assistance Program (CDPAP)

**I.D. No.** HLT-28-20-00019-RP

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following revised rule:

**Proposed Action:** Amendment of sections 505.14, 505.28 of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 363-a, 365-a(2)(e), 365-f(5)(b); Public Health Law, sections 201(1)(v) and 206(1)(f)

**Subject:** Personal Care Services (PCS) and Consumer Directed Personal Assistance Program (CDPAP).

**Purpose:** To implement a revised assessment process and eligibility criteria for PCS and CDPAP.

**Substance of revised rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>):** Section 505.14(a)(1) is amended to align the “personal care services” definition with statutory requirements that such services be ordered by a qualified and independent practitioner, and not the individual’s attending physician.

Section 505.14(a)(3)(iii) is amended to fully align the scope of services with local social services departments (LDSSs) and Medicaid Managed Care Organizations (MMCOs) evaluation responsibilities. Both LDSSs and MMCOs must evaluate the cost effectiveness of the provision of services relative to other services and supports available to the individual. Services may not be provided if they are not cost-effective in comparison to other appropriate alternatives.

Sections 505.14(a)(3)(iv), (a)(9) and 505.28(b)(1), (b)(13), (c)(8) are added to update the scope and eligibility requirements for PCS and CDPAS. Consistent with statutory requirements, recipients would need to demonstrate a minimum need for assistance with activities of daily living (ADL) before such services may be authorized. Specifically, individuals with dementia or Alzheimer’s must need at least supervision with more than one ADL, and all others must need at least limited assistance with physical maneuvering with more than two ADLs.

Subparagraph 505.14(a)(5)(iii) is added to clarify and codify existing Department of Health policy that supervision and cueing may be provided as a means of assisting an individual to perform nutritional and environmental support functions or personal care functions, but are not a standalone personal care service, and may not be authorized, paid for or reimbursed, except if they are provided to assist with one of the enumerated functions in section 505.14(a)(5)(ii).

Sections 505.14(a)(7) and 505.28(b)(11) are added to define the term “Medicaid Managed Care Organization (MMCO).” The proposed regulations add express references to MMCOs, in addition to existing references to LDSSs. Except where the amendments would implement new requirements and procedures, the addition of MMCOs acts to codify existing policies and practices with respect to MMCOs and the provision of PCS and CDPAS, such as those based on Federal regulations, the Department of Health’s model contract requirements, and Department guidance. The term MMCO does not include an entity approved to operate a Program of All-Inclusive Care for the Elderly (PACE) organization.

Section 505.14(a)(8) is added to provide a definition for “medical assistance” or “Medicaid” or “MA” to clarify that these terms as used throughout the regulation refer to the same program.

Section 505.28(b)(4) is amended to align the definition of “consumer directed personal assistant” with State law.

Section 505.28(b)(5) is added to provide a definition for “consumer directed personal assistance program” or “consumer directed program” or “the program” to clarify that these terms as used throughout the regulation refer to the same program.

Section 505.28(b)(15) amends the definition for “self-directing consumer” to include the capability of performing the consumer responsibilities outlined in section 505.28(g).

Section 505.14(b)(1) and the opening paragraph of section 505.28(d) provide an overview of the assessment process, which include an independent assessment, a medical examination and practitioner order, an evaluation of the need and cost-effectiveness of services, the development of the plan of care, and, when required, an additional independent medical review

for high needs cases. The paragraph further provides for how portions of the process may be conducted through telehealth modalities.

Sections 505.14(b)(2)(i) and 505.28(d)(1) describe the independent assessment which is performed by an independent assessor as opposed to the LDSS or MMCO. The independent assessment contains most of the elements of the current social and nursing assessments. Other portions of the current social and nursing assessments have either become unnecessary or remain the responsibility of the LDSS or MMCO to perform. For example, the nursing assessment requirements to review the practitioner order and document the primary diagnosis code have become moot because, under the proposed regulation, the medical examination that leads to a practitioner order will occur after the independent assessment.

Sections 505.14(b)(2)(ii) and 505.28(d)(2) describe the independent medical examination and practitioner order. Most of the examination and practitioner order requirements remain the same, such as the licensure, documentation, and practitioner signature requirements. However, the medical professionals who perform the examination and sign the practitioner order must be employed by or contracted with an entity designated by the Department of Health. Consequently, the 30-day deadline for the order to be provided after the examination has been eliminated. Also, as required by statute, the medical professionals who perform the examination and sign the practitioner order must be independent, meaning that they must not have a prior established provider-patient relationship with the individual.

Sections 505.14(b)(2)(iii) and 505.28(d)(3) describe the LDSS or MMCO responsibilities related to the assessment process. The LDSS or MMCO remain responsible for significant portions of the current assessment process requirements, including a) the review of other available services and supports to determine cost-effectiveness, b) determining frequency of nursing supervision, c) determining the individual’s preferences and social and cultural considerations for the receipt of care; d) heightened documentation requirements for 24-hour cases, and e) the development of the plan of care. In addition, before developing a plan of care or authorizing services, the LDSS or MMCO must review the independent assessment and practitioner order by the independent assessor and independent medical professional. Also, prior to authorizing more than 12 hours of services per day on average, the LDSS or MMCO must refer the case to the independent review panel, for an additional independent medical review of the individual and plan of care, and must consider the recommendation of the independent review panel when finalizing the plan of care and in its decision to authorize such services.

Sections 505.14(b)(2)(iv) and 505.28(d)(4) are added to require the LDSS or MMCO to coordinate with the entity or entities providing independent assessment and practitioner services. These sections also describe the process for resolving mistakes and clinical disagreements in the assessment process, as well as sanctions for failure to cooperate and abuse of the resolution process.

Sections 505.14(b)(2)(v) and 505.28(d)(5) describe the revised independent medical review process. Under the revised process, an independent medical review must be obtained when the LDSS or MMCO proposes to authorize more than 12 hours of services per day on average. The review is performed by an independent panel of medical professionals, and coordinated by a lead physician. The lead physician cannot be the practitioner who was involved in the initial examination or practitioner order. The lead physician, or another member of the panel, may evaluate the individual, consult with other providers and individuals, and obtain other medical records that may be relevant to the panel’s recommendation. When the independent medical review is complete, the lead physician shall produce a report to the LDSS or MMCO providing the panel’s recommendation on whether the plan of care is reasonable and appropriate to maintain the individual’s health and safety in his or her home. The recommendation may not include a specific amount or change in amount of services.

Sections 505.14(b)(3)(i) and 505.28(g)(1) require the independent assessment and practitioner order processes to be completed at least annually and in sufficient time to allow LDSSs and MMCOs to, when needed, comply with all applicable federal and state time frames for notice and termination of services.

Sections 505.14(b)(3)(ii) and 505.28(g)(2) require that all determinations by the LDSS must be made with reasonable promptness, not to exceed seven business days after receipt of both the independent assessment and practitioner order, or the independent review panel recommendation if applicable, except as provided under the immediate need process.

Sections 505.14(b)(3)(iii) and 505.28(g)(3) provide that MMCOs must make a determination and provide notice to current enrollees within the timeframes provided in their contract with the Department of Health, or as otherwise required by Federal or state statute or regulation.

Sections 505.14(b)(4)(i), (ii) and 505.28(e)(1)(i), (ii) are added to provide that an individual’s eligibility for services must be established prior to authorization, and that authorization must occur prior to the provision of services.



Sections 505.14(b)(4)(iii) and 505.28(e)(1)(iii) are added to provide that the authorization and reauthorization of services must be based on and reflect the assessment process and any exceptions to that process applicable to reauthorizations.

Section 505.28(e)(1)(v) is added to prohibit the authorization of services provided through more than one fiscal intermediary per consumer.

Sections 505.14(b)(4)(vi) and 505.28(e)(4) are added to require the LDSS or MMCO to consider the recommendation of the independent review panel prior to authorizing more than 12 hours of services.

Sections 505.14(b)(4)(viii)(b) and 505.28(i)(4) are amended to provide the Department of Health greater flexibility in determining when the LDSS or MMCO must use Department-developed forms in providing notice of service authorization, reauthorization, increase, decrease, discontinuance or denial.

Sections 505.14(b)(4)(viii)(c)(1) and 505.28(i)(4)(iii) are added to require LDSSs or MMCOs to document in the notice and plan of care the factors and clinical rationale specific to the client that went into the medical necessity determination that PCS or CDPAS should be denied, reduced, or discontinued.

Sections 505.14(b)(4)(viii)(c)(2)(vi) and (3)(iv) and 505.28(i)(4)(i)(e) and (ii)(d) are amended to clarify and provide examples of technological developments that may obviate the need for PCS or CDPAS.

Sections 505.14(b)(4)(viii)(c)(2)(vii) and 505.14(b)(4)(viii)(c)(3)(v) are amended to clarify that a denial may be made on the basis of residence in a facility if the client is not seeking to transition into a less restrictive setting or whose health and safety cannot be maintained in such setting.

Sections 505.14(b)(4)(viii)(c)(3)(i) and 505.28(i)(4)(ii)(a) are amended to provide that services may be reduced or discontinued in cases where voluntary informal supports have become available to meet some or all of the client's needs.

Sections 505.14(b)(4)(viii)(c)(2)(ix) and (b)(4)(viii)(c)(3)(vii) and 505.28(i)(4)(i)(g), (i)(4)(i)(h), (i)(4)(ii)(g), and (i)(4)(ii)(h) are added to provide additional examples for denying, reducing, or discontinuing services. Section 505.28(i) is also amended to remove the requirement to notify those receiving other home care services about CDPAS in alignment with State law.

Sections 505.14(b)(4)(xi), (b)(4)(xii), and (b)(4)(vii) and 505.28(f)(1)(i), (f)(2), and (e)(5) are amended to clarify and align the required reassessment procedures when reauthorizing services under the new assessment process. In particular, an independent assessment and practitioner order are not needed to reauthorize services provided that they occur annually, rather than every six months, to maintain authorization or for another enumerated reason.

Sections 505.14(b)(4)(xiii) and 505.28(f)(3) are added to provide that the LDSS or MMCO shall document any changes in an individual's need for services in the plan of care, and consider and make any necessary authorization changes.

Sections 505.14(b)(6) and (7) and 505.28(l) align the immediate need process with the new assessment process. An individual must first provide to the LDSS a statement of need for personal care services from a physician with direct knowledge of the applicant's condition and an attestation of immediate need, before the individual is considered to have an immediate need.

Sections 505.14(b)(8) and 505.28(m) are added to allow the Department of Health to permit the current assessment process to continue until such time as the independent assessment and practitioner services are established at capacity or if the Department has not contracted with or designated an entity to provide independent assessment and practitioner services.

Section 505.14(c) is amended to remove the requirement for LDSSs to maintain contracts for the provision of nursing services.

Section 505.14(f)(3)(vi) is amended to remove references to the nursing assessment and clarify that the LDSS and MMCO are responsible for determining nursing supervision frequency.

Section 505.14(g) is amended to remove from case management responsibilities related to the coordination and performance of the practitioner order and the social and nursing assessments, and align requirements with the new assessment process.

Section 505.28(h)(2) requires consumer designated representatives to make themselves available to ensure that they can carry out the consumer responsibilities, and must be present at scheduled assessments or visits for nonself-directing consumers.

Section 505.28(h)(3) prohibits consumers from working with more than one fiscal intermediary at a time.

**Revised rule compared with proposed rule:** Substantial revisions were made in sections 505.14(a)(1), (3), (5), (7)-(10), (b)(1)-(4), (6), (7), (8), (f)(3), (g)(3), (4), 505.28(b)-(f) and (g)-(m).

**Text of revised proposed rule and any required statements and analyses may be obtained from** Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqa@health.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** 45 days after publication of this notice.

#### Revised Regulatory Impact Statement

Statutory Authority:

Social Services Law ("SSL") § 363-a and Public Health Law ("PHL") §§ 201(1)(v) and 206(1)(f) provide that the Department of Health ("Department") is the single state agency responsible for supervising the administration of the State's medical assistance ("Medicaid") program and for adopting such regulations, not inconsistent with law, as may be necessary to implement and enforce the standards of the Medicaid program. SSL § 365-a(2) authorizes Medicaid coverage for specified medical care, services and supplies, together with such medical care, services and supplies as authorized in the regulations of the Department. Under SSL § 365-a(2)(e) and § 365-f, respectively, the Medicaid program includes personal care services ("PCS") and consumer directed personal assistance services ("CDPAS"). Finally, under SSL § 364-j and PHL Article 44, the Department may contract with Medicaid Managed Care Organizations ("MMCOs") to provide Medicaid services to enrollees, which the Department has done for PCS and CDPAS.

Legislative Objectives:

SSL § 365-a(2) authorizes Medicaid coverage for specified medical care, services and supplies, together with such medical care, services and supplies as authorized in the regulations of the Department. Under SSL § 365-a(2)(e) and § 365-f, respectively, the Medicaid program includes PCS and CDPAS. Based upon recommendations of the Medicaid Redesign Team II ("MRT II"), the 2020-21 budget (Chapter 56 of the Laws of 2020, Part MM) amended SSL § 365-a, § 365-f and PHL Article 44 to improve the provision of Medicaid funded PCS and CDPAS. As amended, these provisions link the eligibility criteria for CDPAS and PCS to the performance of activities of daily living ("ADLs") so services are authorized for those that need them the most, require the establishment of an independent assessor to take over the performance of assessments and reassessments required for determining individuals' needs for such services, require an independent practitioner's order to access PCS, ensure that such services are furnished to the extent medically necessary to maintain a member's health and safety in his or her home, require that the standards established for the provision, management or assessment of such services meet that standards set forth in *Olmstead v. LC* by Zimring, 527 US 581 (1999), and provide relief for members who need access to such services by modifying the frequency in which assessments and authorizations for services are conducted.

Needs and Benefits:

The Department has promulgated regulations governing PCS at 18 NYCRR § 505.14 and CDPAS at 18 NYCRR § 505.28. Amendments to these regulations are essential to implementing requirements of the State Fiscal Year 2020-21 Enacted Budget (Chapter 56 of the Laws of 2020, Part MM) and MRT II long term care reform proposals, which include instituting new eligibility requirements, establishing an independent assessor, reducing the frequency of assessment from semi-annual to annual, centralizing practitioner orders and establishing an independent clinical review for high need cases to ensure that recipients receive the care they need to remain safely in the community. These amendments will help ensure Medicaid beneficiaries receive PCS and CDPAS that are required to appropriately meet their clinical needs as determined by the updated assessment and authorization process and documented in the plan of care.

By centralizing many of the functions of the assessment process and making them independent of the LDSS or MMCO responsible for authorizing services, the changes will bring efficiencies and consistency to the approval of PCS and CDPAS, and promote clinically appropriate outcomes. In particular, the review of high needs cases by an independent panel of medical professionals will help ensure that plans of care are reasonable and appropriate to safely service individuals in the community. Accordingly, this proposal will better facilitate access to PCS and CDPAS for people with disabilities who with the provision of such services are capable of safely remaining in the community in accordance with the standards set forth in *Olmstead v. L.C.*, 527 U.S. 581 (1999).

The proposed regulations will further align the PCS and CDPAS regulations, which share many of the same or similar requirements, but historically have diverged in their drafting. This alignment will help to clarify the requirements for these benefits, which should lead to greater consistency in the assessment, authorization, and provision of services.

Proposed amendments to modernize the language are also included. Over the last decade, with the transition to mandatory enrollment into MMCOs, the majority of medical assistance recipients now receive most of their benefits through MMCOs, including community based long term care services. Although regulations in 18 NYCRR Part 505 are currently cast as requirements on LDSSs, contracts between the Department and MMCOs provide that services covered by MMCOs must comply with the



terms of the New York State Medicaid Plan, established pursuant to SSL § 363-a, the Department's regulations, and other applicable requirements. This contractual integration has meant that medical assistance service requirements, as outlined in 18 NYCRR Part 505 and throughout the Department's regulations, generally apply to MMCOs even when MMCOs are not specifically referenced in the regulation.

By introducing references to MMCOs directly in 18 NYCRR §§ 505.14 and 505.28, the Department is dictating more directly how these regulatory provisions apply to MMCOs, and where there may be differences in application of the rules between LDSSs and MMCOs. However, nothing in these amendments necessitates a change in the nature of MMCOs' contractual obligations under the model contracts. Requirements for the provision of covered services in 18 NYCRR Part 505 and throughout the Department's regulations still apply to MMCOs through the model contracts, even when they are not specifically referenced.

The Department is also proposing to clarify and reinforce documentation requirements, to ensure that authorizations, and any proposed changes to such authorizations, are well documented and can be supported in the care plan and medical record. The Department also proposes to clarify and add appropriate reasons and notice language to be used when a LDSS or MMCO denies, reduces or discontinues PCS or CDPAS. Together, these proposed regulations should assist LDSSs and MMCOs, as well as Administrative Law Judges, evaluate the appropriateness of PCS and CDPAS authorizations and changes thereto. This proposal should increase consistency of authorizations as well as the outcomes of an appeal or fair hearing process.

#### Costs:

##### Costs to Private Regulated Parties:

These regulatory amendments governing PCS at 18 NYCRR § 505.14 and CDPAS at 18 NYCRR § 505.28 do not impose any additional costs to regulated parties. In fact, in centralizing the assessment and practitioners' order process of authorizing PCS/CDPAS and reducing the assessment period to once a year absent any change in condition, the costs to private regulated parties is reduced. Furthermore, LDSS and MMCOs are already required to maintain and update plans of care and MMCOs are required to have an internal appeals process.

##### Costs to Local Government:

The proposed regulations require that social services districts refer Medicaid eligible individuals who may be eligible for long term care services and supports, including PCS and CDPAS, to the State's contracted independent assessor to complete the long term care assessment tool and, if necessary, obtain a practitioner's order for PCS or CDPAS. This relieves the LDSS from having to conduct initial and periodic reassessments and obtain a practitioners' order from the potential recipients' treating physician or other clinician. The proposed regulations do not impose any costs on local government.

##### Costs to the Department of Health:

The proposed regulations may result in minimal additional costs to the Department, which will be managed within existing resources.

##### Costs to Other State Agencies:

The proposed regulations will not result in any costs to other state agencies.

##### Local Government Mandates:

The proposed regulations do not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

##### Paperwork:

The proposed regulatory amendments include clarifying changes to existing forms, but regulated parties are familiar with and already use such forms. The amendments do not impose any new forms, paperwork or reporting requirements.

##### Duplication:

These regulatory amendments do not duplicate existing State or Federal requirements.

##### Alternatives:

Based on public comments received, many alternatives have been considered by the Department. A few of those follow, and the complete list of alternatives considered is included in the Assessment of Public Comment, which is located on the Department's website.

The Department reviewed and rejected several proposed alternatives that would fail to implement the requirements of Chapter 56 of the Laws of 2020, Part MM, which establishes new minimum needs criteria for PCS and CDPAS and requires assessments to be performed by an independent assessor using an evidenced-based, validated assessment tool. Such suggestions included removal or modification to the minimum needs criteria and the maintenance of the assessment role with LDSS or MMCOs.

Many commenters suggested in various ways that the care planning process should reflect or include consumer preference. The Department agreed with these comments generally, and revised the LDSS and MMCO responsibilities to provide that consumer preferences must continue to be

considered when developing the plan of care. However, the Department declined to duplicate the provisions of the federal regulations, as doing so is unnecessary because such requirements apply in their own right and because doing so may lead to unnecessary conflict and additional State administrative burden if and when federal requirements change.

The Department also considered and adopted suggestions to incorporate more specific procedures for coordination between the IA and the LDSS or MMCOs. The comments received on this point were many and varied. Some commenters were concerned that too much influence from LDSS or MMCOs would compromise the IA process, while others were concerned that a lack of feedback from the LDSS or MMCO could result in plans of care being developed that do not reflect the individual's needs. The Department believes that there was validity to both of these concerns, and strived to balance them in the revised regulations. The addition of set procedures for coordination and sanction provisions for abuse of these procedures reflects the best balance for addressing these concerns in the Department's view.

Another area of focus from commenters were the timeframes for the revised assessments and care planning processes. Comments were made about each step of the process, from the IA to the IRP. Some suggested that each step have its own specific timeframe, while others suggested that particular steps be waived in order to make timely service determinations. The Department has instead opted to require that the IA and Practitioner Order occur within sufficient time to allow the LDSS or MMCO to meet federal or State decision and notice timeframes. In addition, the Department has provided an exception to the prohibition on authorizing services for high needs cases prior to the IRP review and recommendation, to allow LDSS or MMCOs to meet federal and State timeframes, such as those for immediate need by providing a provisional authorization pending completion of the IRP report and final review by the LDSS or MMCO.

##### Federal Standards:

The proposed regulations do not duplicate or conflict with any Federal regulations.

##### Compliance Schedule:

The regulations will be effective upon publication of a Notice of Adoption in the New York State Register or as otherwise provided in such publication of a Notice of Adoption.

#### **Revised Regulatory Flexibility Analysis**

##### Effect of Rule:

The proposed regulations change the assessment and authorization process for personal care services and consumer directed personal assistance services through the State's medical assistance plan. Specifically, the frequency of assessments will change from semi-annually to annually; all assessments to determine individuals' needs for assistance with personal care and environmental and nutritional support functions will be conducted by an independent assessor; orders for services will now be obtained based on a medical examination performed by a qualified independent medical professional; and high needs cases will be subject to an additional independent medical review to assure that proposed plans of care are reasonable and appropriate to maintain the individual safely in his or her home.

These changes move many of the responsibilities from the Local Departments of Social Services (LDSS) or Medicaid Managed Care Organizations (MMCOs) and to an independent entity or entities. While these changes provide administrative relief to LDSS and MMCOs, they may impact Certified Home Health Agencies (CHHAs) and Licensed Home Care Services Agencies (LHCSAs) under contract with LDSSs and MMCOs to perform assessments that will no longer be a LDSS or MMCO responsibility. There are approximately 115 CHHAs and 1,400 LHCSAs certified or licensed to operate in New York State, a subset of which are contracted with MMCOs and LDSSs to perform these assessments.

Any changes that occur to the overall scope and number of contracts between LDSSs or MMCOs and CHHAs or LHCSAs are primarily attributable to the State Fiscal Year 2020-21 Enacted Budget, requiring the establishment of an independent assessor to determine individuals functional needs for PCS and CDPAS. The proposed regulations do not propose any further restrictions on the ability of CHHAs or LHCSAs to perform any of these functions, and include no restriction on the ability of the independent assessor to subcontract with CHHAs or LHCSAs.

##### Compliance Requirements:

These proposed regulations do not impose any new compliance requirements on LHCSA, CHHA, MMCO or LDSS.

##### Cure Period:

Chapter 524 of the Laws of 2011 requires agencies to include a "cure period" or other opportunity for ameliorative action to prevent the imposition of penalties on a party subject to enforcement when developing a regulation or explain in the Regulatory Flexibility Analysis why one is not included. This revised proposed rulemaking includes the addition of new sanctions or penalties. To ensure that regulated entities are given time to come into compliance with new processes without threat of sanction or penalty, the Department will stay the imposition of penalties for non-

compliance that occurs during the six month period immediately following the effective date of these amended regulations. As a general matter, the Department's internal procedures for imposition of penalties and sanctions under Public Health Law section 12 and other authorities will apply as applicable. Under these procedures, initial incidence of non-compliance would result in a "statement of deficiency" to be followed by a corrective action plan submitted by the party, which the Department must approve.

The corrective action plan procedures provide a reasonable cure period. If the party fails to provide or follow a corrective action plan, remains non-compliant, or later commits the same or similar violations, the Department may proceed with sanctions or penalties. However, the Department also reserves the right to impose sanctions or penalties on initial incidence of non-compliance when warranted, including but not limited to when a pattern of non-compliance is discovered without any good faith explanation or where sanctions or penalties may limit harm to or preserve the health of individuals.

#### Professional Services:

No new or additional professional services are required in order to comply with the proposed regulations.

#### Compliance Costs:

No capital costs would be imposed as a result of the proposed regulations. Nor would there be annual costs of compliance.

#### Economic and Technological Feasibility:

There are no additional economic costs or technology requirements associated with the proposed regulations.

#### Minimizing Adverse Impact:

As indicated above, the requirement for an independent assessor is mandated by statute, specifically Sections 2 and 11 of Part MM of chapter 56 of the Laws of 2020. The law prohibits CHHAs and LHCSAs from being selected as contractors to provide independent assessor services. The proposed regulations do not propose any further restrictions on the ability of CHHAs or LHCSAs to perform any of these functions, and include no restriction on the ability of the independent assessor to subcontract with CHHAs or LHCSAs.

Additionally, the Department has preserved certain LDSS and MMCO responsibilities in the proposed regulations at 505.14(b)(2)(iii) and 505.28(d)(3), such as the requirement to determine frequency of need for 24-hour cases, which are currently a source of contract work for CHHAs and LHCSAs. As such, under the proposed rule, CHHAs and LHCSAs could continue to perform this work. The Department has also elected to not prohibit the independent assessor from making arrangements with CHHAs and LHCSAs to perform assessment services. Together, these potentially mitigate much the impact that may occur from the centralization of the functional assessment responsibilities.

The proposed regulations should not have an adverse economic impact on social services districts.

#### Small Business and Local Government Participation:

These proposed regulations arise from a change in State law pursuant to Chapter 56 of the Laws of 2020, Part MM. The initiatives were recommended by the MRT II following a series of public meetings where stakeholders had the opportunity to comment and collaborate on ideas to address the efficacy of these services. In addition, the MRT II was comprised of representatives of LDSS and MMCOs, among others.

Comments were received from nine LDSS and a number of entities representing assessment agencies or individual CHHAs and LHCSAs. These comments ranged across many topics and across the full scope of these regulations. Based on these comments, the Department made various revisions to the rule package. Many of these revisions were to clarify provisions to reduce confusion among regulated or affected parties. Other amendments addressed more substantive issues, such as the nature of how LDSS will coordinate with the IA, for which the Department provided additional elaboration. The full scope of the changes made in response to comments is addressed in the Assessment of Public Comment, which is located on the Department's website.

#### **Revised Rural Area Flexibility Analysis and Job Impact Statement**

Changes made to the last published rule do not necessitate revision to the previously published Rural Area Flexibility Analysis and Job Impact Statement.

#### **Assessment of Public Comment**

A Notice of Proposed Rule Making was initially published in the State Register on July 15, 2020. During the public comment period, the Department of Health (the "Department") received over 200 comments from consumers of personal care services ("PCS") or consumer directed personal assistance services ("CDPAS"); Alleghany County; the law firm of Bond, Schoeneck & King PLLC; Center for Elder Law & Justice; Center For Independence of the Disabled, New York; Chautauqua County; Coalition of New York State Public Health Plans; Downstate New York ADAPT; Jewish Association for Services for the Aged; LeadingAge New York; the Legal Aid Society; Medicaid Matters New York; New York As-

sociation on Independent Living; New York City Department of Social Services; the New York Health Plan Association; New York Legal Assistance Group; New York State Association of Health Care Providers; New York State Bar Association; New York State PACE Alliance; Ontario County; Paraprofessional Healthcare Institute, Inc.; Putnam Independent Living Services; RiverSpring Health Plans; Schuyler County; Southern Tier Independence Center, Inc.; and Tioga County.

Substantive changes have been made to the regulations in light of the comments received. Other clarifications and technical, non-substantive changes have also been made.

All comments received were reviewed and evaluated. In response to the comments:

Sections 505.14(a)(9) and 505.28(b)(1) have been revised so that the definition of "activity of daily living" refers to the tasks and activities recognized as Activities of Daily Living (ADLs) by the evidence-based validated assessment tool that must be used pursuant to statute.

Subparagraph 505.14(a)(5)(iii) was revised to clarify that supervision and cueing may not be authorized, paid for or reimbursed, except if they are provided to assist with nutritional and environmental support functions or personal care functions.

Sections 505.14(a)(7) and 505.28(b)(11) have been revised to clarify that the term "MMCO" does not include an entity approved to operate a Program of All-inclusive Care for the Elderly (PACE) plan.

Section 505.14(b)(1) and the opening paragraph of section 505.28(d) have been revised to clarify that the independent assessment, medical examination and independent review panel may utilize telehealth modalities for all or a portion of such assessments.

Sections 505.14(b)(2)(i), 505.14(b)(4) and 505.25(d)(1) have been revised to clarify that the entity designated by the Department of Health to provide independent assessment services is responsible for determining whether the individual meets minimum needs criteria; and to clarify that the independent assessment must assess the consumer where the consumer is located, provided that the consumer's home or residence is also evaluated to support the proposed plan of care or to ensure a safe discharge.

Sections 505.14(b)(2)(ii) and 505.28(d)(2) have been revised to clarify that if a practitioner signs the medical order but is not the examining medical professional, such practitioner must also be independent; and remove the requirement for a medical order to determine whether an individual can be safely cared for at home and, instead, requiring a determination as to whether the individual is medically stable.

Sections 505.14(b)(2)(iii) and 505.28(d)(3) have been revised to move provisions related to the social services district or MMCO's responsibility to coordinate with the entity or entities providing independent assessment and medical order services, and to inform those entities when a new assessment or medical order is needed and of the findings of mistakes or inaccuracies with an assessment to sections 505.14(b)(2)(iv) and 505.28(d)(4). These sections have also been revised to require the social services district and MMCO to consider consumer preferences and social and cultural consideration in combination with other factors in developing plans of care; require social services districts and MMCOs to consider the availability of informal supports and confirm the caregiver's willingness to meet the identified needs in the plan of care for which they would assist; clarify that the development of a plan of care must be done in collaboration with the consumer; clarify that an MMCO should only refer high needs cases to the independent review panel if an individual is enrolled or scheduled for enrollment in the MMCO; and clarify that, irrespective of the independent panel's recommendations, the social services district or MMCO is responsible for determining the amount and type of services available.

Sections 505.14(b)(2)(iv) and 505.28(d)(4) have been added to provide a more comprehensive process for coordinating the independent assessment, medical order and social services district or MMCO responsibilities; resolving mistakes and clinical disagreements in the assessment process; and imposing sanctions for failure to cooperate during or abuse of the resolution process.

Section 505.14(b)(2)(v) and 505.28(d)(5) have been revised to clarify that the calculation for the high needs threshold is based on the authorization of personal care services, consumer directed personal assistance, or both; require the independent review panel to produce a report providing the panel's recommendation of whether the plan of care is reasonable and appropriate to maintain the individual's health and safety in his or her home; remove the requirement for the independent review panel to make a recommendation on whether other Medicaid services may be appropriate; and clarify that the independent review panel may suggest modifications to the plan of care, including the level, frequency, and duration of services and whether additional, alternative, or fewer services would facilitate the provision of medically necessary care. However, the panel may not recommend a specific amount or change in amount of services.

Sections 505.14(b)(3) and 505.28(g)(1) have been added to provide

timeframes for the assessment and authorization of services. These sections clarify that the independent assessment and medical order processes must be completed at least annually and in sufficient time to allow social services districts and MMCOs to, as needed, comply with all applicable federal and State time frames for notice and determination of services. Section 505.28(g)(2) has been added to mirror language under section 505.13(b)(3)(ii), which requires that all determinations by the social services district must be made with reasonable promptness, not to exceed seven business days after receipt of both the independent assessment and medical order, or the independent review panel recommendation if applicable, except as provided under the immediate need process. Section 505.28(g)(3) has been added to mirror language under section 505.13(b)(3)(iii), which provides that MMCOs must make a determination and provide notice to current enrollees within the timeframes provided in their contract with the Department of Health, or as otherwise required by federal or State statute or regulation.

Sections 505.14(b)(4) and 505.28(e)(4) have been revised to require the social services district or MMCO to consider the recommendation of the independent review panel prior to authorizing more than 12 hours of services; allow the social services district or MMCO to authorize and implement services based on a temporary plan of care, pending review of the independent review panel's recommendations; and clarify that the maximum default authorization period is 12 months from the date of the most recent independent assessment or medical order, whichever is earlier.

Section 505.14(b)(4) has also been revised to clarify that a denial of services may be made based on residence in a facility if the client is not seeking to transition into a less restrictive setting or whose health and safety cannot be maintained in a less restrictive setting, and to clarify that, for high needs cases, reauthorization of services shall not require another panel review as long as the case remains a high needs; clarify that if service levels are reduced below the high needs threshold and subsequently increased to become a high needs case again, another review by the independent review panel would be required.

Sections 505.14(b)(4) and 505.28(i) have been revised to allow the social services district or MMCO to reduce or discontinue services where voluntary informal supports have become available to meet some or all the client's needs.

Sections 505.14(b)(4) and 505.28(f) have been revised to clarify the specific instances when an independent assessment and medical order are needed to reauthorize or maintain an authorization for services (i.e., upon discharge from inpatient setting, upon certain unexpected changes in condition; and upon request from the consumer); and remove the requirement for review of appropriateness and cost effectiveness of services when the change in the individual's services needs results from a change in the consumer's mental status.

Sections 505.14(b)(6) and (7) have been revised to clarify that the statement of need that an individual is required to provide to the LDSS must be from a physician with direct knowledge of the applicant's condition.

Sections 505.14(b)(8) and 505.28(m) have been added to allow the Department of Health to continue to use the current assessment process until the independent assessment and medical order services are established.

Section 505.28(h)(3) has been revised to clarify that where more than one fiscal intermediary is serving the same consumer at a given time, the consumer is required to select a single fiscal intermediary to work with in accordance with guidance provided by the Department of Health.

Several proposed revisions were not incorporated because they were not consistent with the statutory authority underlying the proposed rulemaking or concerned issues outside the scope of the proposed rulemaking. Other suggestions appeared to warrant further consideration for possible inclusion of future revisions to the regulations.

## Division of Housing and Community Renewal

### EMERGENCY RULE MAKING

#### Schedule of Reasonable Costs for Major Capital Improvements in Rent Regulated Housing Accommodations

**I.D. No.** HCR-26-20-00012-E

**Filing No.** 13

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Addition of sections 2102.11, 2202.28, 2502.10 and 2522.11 to Title 9 NYCRR.

**Statutory authority:** Administrative Code of New York City, sections 26-405(g), 26-511(b), 26-518(a); L. 1974, ch. 576, section 10a; Omnibus Housing Act; L. 1983, ch. 403, section 28; L. 1946, ch. 274, subdivision 4(a), as amended by L. 1950, ch. 250, as amended by L. 1964, ch. 244; Housing Stability and Tenant Protection Act of 2019, L. 2019, ch. 36, part K; L. 2019, ch. 39, part 36

**Finding of necessity for emergency rule:** Preservation of general welfare.

**Specific reasons underlying the finding of necessity:** On June 14, 2019, the law which is commonly known as the "Housing Stability and Tenant Protection Act of 2019" or "HSTPA" (Ch. 36 of the Laws of 2019) was enacted. On June 25, 2019, change amendments were enacted, commonly referred to as the "Clean-up Legislation" (Part Q, Ch. 39 of the Laws of 2019). The Legislature has determined that, because of a serious public emergency, the regulation of residential rents and evictions is necessary to prevent the exaction of unreasonable rents and rent increases and to forestall other disruptive practices that would produce threats to public health, safety and general welfare. HSTPA serves to reform and strengthen the rent laws and provide greater protection for tenants. As relevant herein, section K of HSTPA as amended by the Clean Up Legislation modified the requirements landlords must meet to receive rent increases based on major capital improvements and individual apartment improvements. The legislation mandated that the Division of Housing and Community Renewal ("DHCR") promulgate rules and regulations applicable to all rent regulated units that, among other things and as is relevant to this proposed rule, establish a schedule of reasonable costs for major capital improvements which sets a cap on the costs that can be recovered through a temporary major capital improvement increase, based on the type of improvement and its rate of depreciation. The Clean-up Legislation directed the amendment and/or repeal of any rule or regulation necessary for the implementation of HSTPA on and after June 14, 2019 to be made immediately and completed on or before June 14, 2020, provided, however, that in the absence of such rules and regulations, DHCR shall immediately commence and continue implementation of all provisions of HSTPA. Consequently, the proposed rulemaking is immediately necessary to conform with the statutory amendments and to provide the public with the rules necessary to comply with the current legislation. For the aforementioned reasons, DHCR finds that immediate adoption of the rule is necessary for the preservation of the general welfare, and that compliance with the rulemaking procedures set forth in State Administrative Procedure Act section 202(1) would be contrary to the public interest. Given the upcoming statutory deadline, emergency adoption is needed for timely compliance with the legislation. Thus, DHCR finds that the regulation must be adopted and implemented effective June 16, 2020 on an emergency basis, and compliance with the minimum periods of notice, public comment and other requirements of State Administrative Procedure Act section 202(1) would be contrary to the public interest.

**Subject:** Schedule of Reasonable Costs for Major Capital Improvements in rent regulated housing accommodations.

**Purpose:** Provide a schedule of reasonable costs for Major Capital Improvements in rent regulated housing accommodations.

**Substance of emergency rule (Full text is posted at the following State website: <https://hcr.ny.gov/regulatory-information>):** These regulations add Section 2522.11 of the Rent Stabilization Code, Section 2502.10 of the Tenant Protection Regulations, Section 2102.11 of the State Rent and



Eviction Regulations and Section 2202.28 of the New York City Rent and Eviction Regulations (herein after referred to as the regulations). The regulations establish a reasonable cost schedule for major capital improvements (MCI) and surrounding procedures for its implementation.

Subdivision (a) provides that the schedule will be set forth in an operational bulletin for three main categories: (1) major systems, (2) façade, parapet and roof, and (3) other systems.

Subdivision (b) provides that each class of MCI may list more detailed types of capital improvements inclusive of additional eligible cost.

Subdivision (c) provides that each MCI cost will be listed by an appropriate unit of measure.

Subdivision (d) notes that the maximum reasonable costs shall be based on DHCR's survey of such costs and shall be published and made available in conjunction with the publication of the regulation.

Subdivision (e) provides there will be a review of the schedule every year.

Subdivision (f) sets forth: (1) the minimal owner requirements for submission and (2) notes that the MCI submission must meet all other regulatory requirements.

Subdivisions (g) and (h) set forth the process to seek a waiver of the schedule with categories for (1) non-landmarked buildings, (2) landmarked buildings, (3) work performed under the auspices of another government agency, and (4) emergency capital improvements. There are also interim rules in this subdivision for pending cases on waiver requests and time limits for making such an application.

Subdivisions (i) and (j) provide that the waiver procedures require expert engineering proof and bids with additional and alternative levels of proof where an owner claims emergency work.

Subdivision (k) provides that the denial of a waiver will limit the amount recoverable to that in the reasonable cost schedule, subject to all other MCI recoupment requirements.

Subdivision (l) notes the location of the DHCR operational bulletin on DHCR's website.

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. HCR-26-20-00012-EP, Issue of July 1, 2020. The emergency rule will expire March 12, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Michael Berrios, NYS Homes and Community Renewal, 92-31 Union Hall Street, Jamaica, NY 11433, (718) 262-4816, email: michael.berrios@nyscr.org

#### **Regulatory Impact Statement**

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of emergency rule making, I.D. No. HCR-26-20-00012-EP, Issue of July 1, 2020.

#### **Regulatory Flexibility Analysis**

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of emergency rule making, I.D. No. HCR-26-20-00012-EP, Issue of July 1, 2020.

#### **Rural Area Flexibility Analysis**

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of emergency rule making, I.D. No. HCR-26-20-00012-EP, Issue of July 1, 2020.

#### **Job Impact Statement**

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of emergency rule making, I.D. No. HCR-26-20-00012-EP, Issue of July 1, 2020.

#### **Assessment of Public Comment**

A synopsis of comments and DHCR's responses is discussed below:

**Issue #1: Categories and Price Per-Unit Established in Operational Bulletin**

Some asserted that the operational bulletin is a legally invalid vehicle for itemization of individual MCI costs and that the allowable cost of each of the numerous potential MCI items must be established and altered only by regulation. Concern was expressed that the operational bulletin could be subject to change without public input.

**DHCR's Response:**

The operational bulletin is designed in accordance with Regulation to update annually to reflect reasonable costs and changes thereto. In the regulation and in the accompanying regulatory impact statement (RIS), DHCR commits to issuing any annual update to the operational bulletin upon public notice and an opportunity to comment.

The operational bulletin is a legally valid method for establishing the reasonable cost schedule. The propriety of the mixture of regulatory standards as fixed principles and the embodiment of fact specific numbers in an operational bulletin has been previously upheld against various challenges in litigation as consistent with the State Administrative Procedure Act.

**Issue #2: Transparency in Creation of Schedule**

Some comments suggested a lack of transparency on the part of DHCR in creating the Schedule. Commenters also suggested DHCR should have included not-for profit organizations in helping to create the Schedule. Additional comments claimed that DHCR published the Schedule without the opportunity for prior public review. There were also comments asking why DHCR chose a specific engineering firm to assist in creating the Schedule.

**DHCR's Response:**

DHCR complied with the State Administrative Procedure Act and the Rent Stabilization Law requirements on public notice and comment and is analyzing and reacting to those comments as appropriate. Therefore, all interested individuals and entities were provided the opportunity to provide input regarding the proposed regulation and proposed Schedule.

Prior to the creation and submission of its formal proposal, DHCR met with both owner and tenant advocacy groups as indicated in the accompanying RIS and as authorized by SAPA.

DHCR also consulted with: DASNY, a state agency with an extensive background in New York State construction, and DHCR engineers who service New York Homes and Community Renewals (HCR) affordable housing programs. DHCR also reviewed a cost schedule prepared by a professional engineering firm that has done extensive work with CPC, a not-for-profit affordable housing lender. A record of the groups DHCR met with in person regarding the Regulations can be found here: <https://projectsunlight.ny.gov>

In selecting the private consultant, DHCR requested bids from engineers, architects, or any professional company that had specialized knowledge in construction in the New York State area to help assist in the creation of the Schedule. The request for bids and selection was made in accord with state procedures.

**Issue #3: Is Schedule of Reasonable Costs Aligned with the intent of HSPTA**

Commenters suggested that the Schedule should be more in line with the intent of HSPTA. Some seemingly implied that allowable MCI improvements should be limited based a perceived difference between market rate and affordable housing preservation standards.

**DHCR's Response:**

The Regulation and accompanying schedule conform both to the letter and intent of the HSPTA.

HSPTA provides that DHCR approve MCI costs which are reasonable, and actual and verifiable. The law does not allow for variants in reasonable costs based upon the income strata of the recipients that live in the units covered by the MCI.

**Issue #4: General and Specific Concerns Regarding the Schedule**

Many comments asserted errors and other issues with the proposed Schedule. Commentators suggested that:

- broadly, the costs reflected in the Schedule were excessive;
- the costs reflected in the Schedule could, in some circumstances, be insufficient or too low;
- greater detail or further breakdown of scheduled costs is needed;
- the Schedule did not account for cost variation based on building size, unit size and other factors;
- costs on the Schedule vary from the costs the commenters provided;
- areas outside of New York City should be separately scheduled from the costs for MCI's within New York City; and
- the Schedule should list every type of MCI and their rate of Internal Revenue Service ("IRS") depreciation.

In providing examples of errors or concerns with the Schedule commentators mentioned scheduled items including: (a) apartment doors, (b) apartment door locks, (c) apartment windows, (d) A/C brackets, (e) caulking, (f) bathroom GFI outlets, and (g) child guards.

**DHCR's Response:**

DHCR relied on expert opinion and professional guidance to create a cost schedule.

No preestablished schedule or array of schedules can fully account for the combination of factors (including building size, building location, building age, building design, variation in labor costs, material supply shortages, weather, logistical challenges, unique factual circumstances, etc.) that can lead to variations in reasonable cost. To address this, DHCR is establishing in these regulations, the alternative of an individualized process of review where circumstances warrant.

The costs reflected on the Schedule include installations that are MCI eligible and such related costs that are necessary and required to complete the installation of the eligible MCI item. Maintenance costs or cosmetic

costs that are not necessary for the eligible MCI item or costs unrelated to the eligible MCI item are not included in the Schedule. The absence of an item on the schedule that is MCI eligible does not mean that the reasonableness of its cost is not subject to review.

DHCR assessed that there was insufficient data available to determine a reasonable cost ceiling for certain items. DHCR is not accepting costs without a reasonable cost review. That review will be included in case processing and is already encompassed in the waiver and alternative means process. Not every item on the Schedule is considered an eligible MCI item in and of itself, some are for items considered necessary and related expenses to eligible MCI items. Only items that are either MCI eligible or necessary related expenses are included in the approved costs for an MCI rent increase.

The unit size is considered in the MCI calculation itself as the MCI rent increase per unit is based on the number of rooms in the unit.

DHCR made modifications to the Reasonable Cost Schedule set forth in Operational Bulletin 2020-1 as detailed in the full version of the Assessment of Public Comments.

Issue #5: Should Regulations be More Explicit as to the Acceptable Alternative Means to Establish a Waiver

A comment suggested that DHCR should be more explicit as to the acceptable alternative means to establish a waiver related to existing (pre-HSTPA) MCI applications or MCI work. It was specifically requested that a certification by an expert should be accepted to support granting such a waiver.

DHCR's Response:

Each waiver request must be reviewed on a case by case basis, subject to notice to tenants and possible challenge. It would not be appropriate for DHCR to commit to a single methodology to justify or deny a waiver from the scheduled reasonable costs.

Issue #6: Are Certain Expenses or Items Not Previously Subject to MCI Rent Increases now MCI Eligible?

A comment queried whether the references in various documents to related expenses means that certain expenses not previously subject to MCI compensation may now be MCI eligible by virtue of these articulated DHCR standards. Similar comment suggested several items that do not meet the requirements of an MCI and/or that the costs included in the Schedule do not reflect policy outlined in DHCR's Fact Sheets.

DHCR's Response:

DHCR is not expanding MCI eligibility to items not previously MCI eligible. The term "related expenses" is used instead to incorporate attendant expenses previously allowed for MCI treatment and not otherwise precluded by HSTPA. Further, just an item being listed on the Schedule does not mean it will categorically be eligible for an MCI rent increase.

Issue #7: General Assertions of Economic Inequity based on HSTPA's Changes to MCI Compensation Structure and Potential Impact on Housing Stock

There were comments asserting the general unfairness and economic impact surrounding HSTPA's changes significantly limiting owners' ability to recover sums spent on MCI work. At least one comment noted that the application of the Schedule of Reasonable Costs to pending matters at the Rent Administrator's level and related to work commenced or financed in anticipation of the MCI rules remaining unchanged, raises significant constitutional questions under the Regina Metropolitan case.

DHCR's Response:

Regarding constitutionality and the Regina Metropolitan decision, the Court in Regina Metropolitan drew a distinction between the retroactive creation of overcharge liability for past behavior, as contrasted with the prospective application of rent increase formulas to applications like those at issue here. Given the past legislative and regulatory history at the time the MCI at issue work was done, owners did not have any reasonable expectation that law and rules governing MCI eligibility would remain constant and not subject to change.

Issue #8: Does Availability of Waivers in Limited Factual Circumstances Align with directives of HSTPA?

Commenters suggested that any waiver or variation attached to implementation of the MCI Schedule of Reasonable Costs is not aligned with HSTPA.

DHCR's Response:

As noted in the RIS, waivers have been a traditional part of MCI processing where schedules are in use, such as with useful life, in order to create an individualized assessment where necessary.

Issue #9: Should Issuance of MCI Rent-Increase Orders be Delayed Until there is a Finalized Schedule?

Comments suggested that issuance of MCI orders rent-increase orders be delayed until there is a finalized schedule.

DHCR's Response:

HSTPA and SAPA allow for the issuance of MCI rent increases before the promulgation of the Regulations.

Issue #10: MCI Installations Should Not Allow for Limitation of Services

Certain comments alleged that MCI installations are an end-run around of the requirement to provide services and the limitation on additional compensation for services that the owner is already under obligation to maintain.

DHCR's Response:

Owners need to apply with DHCR for modifications in services through a separate application process that adheres to the already established methods of DHCR. Additionally, tenants have the right and the ability to contest MCI applications asserting failure to exhaust useful life or failure to reasonably maintain.

Issue #11: Licensed professional costs

Commenters raised concerns with the costs to owners to certify costs and the need for licensed professionals.

DHCR's Response:

DHCR has previously provided guidance on non-construction costs under Policy Statement 2017-1.

Issue #12: Application of Schedule in pending MCI applications before DHCR RA and on PAR

One commenter requested that the Schedule should be applied retroactively to all pending MCI applications as well as to appeals of prior MCI application decisions (also known as a "Petition for Administrative Review").

DHCR's Response:

DHCR has already issued official guidance on the application of the HSTPA to MCI applications under Fact Sheet #24.

Issue #13: Comments suggested that the Schedule includes matters which have never been or are no longer MCI eligible under the HSTPA

Commentators asserted that DHCR included in the Schedule items that are no longer available for MCI rent increases based on various changes to the MCI definition in HSTPA, most specifically that the improvement be essential for preservation, energy, efficiency, functionality or infrastructure of the entire building and that no increase be approved for group work done in individual apartments that is otherwise not an improvement to the entire building.

DHCR Response:

DHCR eliminated certain items from any consideration in creating its reasonable cost schedule. The rest of the more specific complaints fall within individualized factual assessment under these standards and may also be the subject of additional comment upon the proposal of additional MCI regulations.

## NOTICE OF ADOPTION

### Schedule of Reasonable Costs for Major Capital Improvements in Rent Regulated Housing Accommodations

I.D. No. HCR-26-20-00012-A

Filing No. 14

Filing Date: 2021-01-12

Effective Date: 2021-01-27

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Addition of sections 2102.11, 2202.28, 2502.10 and 2522.11 to Title 9 NYCRR.

**Statutory authority:** Administrative Code of New York City, sections 26-405(g), 26-511(b), 26-518(a); L. 1974, ch. 576, section 10a; Omnibus Housing Act; L. 1983, ch. 403, section 28; L. 1946, ch. 274, subdivision 4(a), as amended by L. 1950, ch. 250, as amended by L. 1964, ch. 244; Housing Stability and Tenant Protection Act of 2019; L. 2019, ch. 36, part K; L. 2019, ch. 39, part 36

**Subject:** Schedule of Reasonable Costs for Major Capital Improvements in rent regulated housing accommodations.

**Purpose:** Provide a schedule of reasonable costs for Major Capital Improvements in rent regulated housing accommodations.

**Substance of final rule:** These regulations add Section 2522.11 of the Rent Stabilization Code, Section 2502.10 of the Tenant Protection Regulations, Section 2102.11 of the State Rent and Eviction Regulations and Section 2202.28 of the New York City Rent and Eviction Regulations (herein after referred to as the regulations). The regulations establish a reasonable cost schedule for major capital improvements (MCI) and surrounding procedures for its implementation.

Subdivision (a) provides that the schedule will be set forth in an operational bulletin for three main categories: (1) major systems, (2) façade, parapet and roof, and (3) other systems.

Subdivision (b) provides that each class of MCI may list more detailed types of capital improvements inclusive of additional eligible cost.

Subdivision (c) provides that each MCI cost will be listed by an appropriate unit of measure.

Subdivision (d) notes that the maximum reasonable costs shall be based on DHCR's survey of such costs and shall be published and made available in conjunction with the publication of the regulation.

Subdivision (e) provides there will be a review of the schedule every year.

Subdivision (f) sets forth: (1) the minimal owner requirements for submission and (2) notes that the MCI submission must meet all other regulatory requirements.

Subdivisions (g) and (h) set forth the process to seek a waiver of the schedule with categories for (1) non-landmarked buildings, (2) landmarked buildings, (3) work performed under the auspices of another government agency, and (4) emergency capital improvements. There are also interim rules in this subdivision for pending cases on waiver requests and time limits for making such an application.

Subdivisions (i) and (j) provide that the waiver procedures require expert engineering proof and bids with additional and alternative levels of proof where an owner claims emergency work.

Subdivision (k) provides clarification that owner requests for a waiver shall be made available to the tenants with an opportunity to comment on and contest the waiver.

Subdivision (l) provides that the denial of a waiver will limit the amount recoverable to that in the reasonable cost schedule, subject to all other MCI recoupment requirements.

Subdivision (m) notes the location of the DHCR operational bulletin on DHCR's website.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in sections 2102.11(k), 2202.28(k), 2502.10(k) and 2522.11(k).

**Text of rule and any required statements and analyses may be obtained from:** Michael Berrios, NYS Homes and Community Renewal, 92-31 Union Hall Street, Jamaica, NY 11433, (718) 262-4816, email: michael.berrios@nyshcr.org

#### **Summary of Revised Regulatory Impact Statement**

##### **1. STATUTORY AUTHORITY**

Section 26-511(b) of the Administrative Code of the City of New York, ("Rent Stabilization Law" "RSL") and RSL § 26-518(a) authorize the Division of Housing and Community Renewal ("DHCR") to amend the Rent Stabilization Code ("RSC"); the Emergency Tenant Protection Act of 1974 ("ETPA"), Laws of 1974, Ch. 576, section 10a authorizes DHCR to amend the Tenant Protection Regulations ("TPR"); the Omnibus Housing Act, Laws of 1983, Ch. 403, section 28, and section 26-405g(1) of the Administrative Code of the City of New York, (also known as the "City Rent and Rehabilitation Law") ("CRRL") authorize DHCR to amend the City Rent and Eviction Regulations ("CRER"); the Emergency Housing Rent Control Law ("RCL"), Laws of 1946, Chap 274, subdivision 4(a), as amended by the Laws of 1950, Chap. 250, as amended, by the Laws of 1964, Ch. 244, authorizes DHCR to amend the State Rent and Eviction Regulations ("SRER"); the Housing Stability and Tenant Protection Act of 2019, Ch.36 of the Laws of 2019 ("HSTPA"), Part K, further empowered and required DHCR to promulgate rules and regulations to implement and enforce all provisions of Part K, specifically as implemented herein, to establish a schedule of reasonable costs for major capital improvements ("MCI") that shall set a cap for what costs can be recovered through a temporary major capital improvement increase, based on the type of improvement and its rate of depreciation. As amended by Chapter 39 of the laws of 2019, with respect to the provisions of Part K, the addition, amended and/or repeal of any rule or regulation necessary for the implementation of this act [HSTPA] on and after June 14, 2019 are directed to be made immediately and completed on or before June 14, 2020 provided, however, that in the absence of such rules and regulations, the division shall immediately commence and continue implementation of all provisions of this act.

##### **2. LEGISLATIVE OBJECTIVES**

The overall legislative objectives are contained in Sections 26-501 and 26-502 of the RSL, Section 2 of the ETPA, section § 8581(1) of the RCL and section 26-401(a) of the CRRL.

##### **3. NEEDS AND BENEFITS**

DHCR has engaged in this amendment process with respect to these regulations to implement the Legislature's directive regarding the establishment of a schedule of reasonable costs for major capital improvements.

As more fully explained in other required documents submitted herewith, DHCR's use of this emergency regulatory process: (1) is consistent with the directory time limits for the implementation of HSTPA Part K; (2) reduces the uncertainty caused by having no rule, given the necessity of continued MCI processing required by law; (3) gives all regulated parties the benefit of their substance and procedures at the earliest opportunity; and (4) preserves the opportunity for notice and comment to act in a manner consistent with the directory time limits for implementation of HSTPA Part K.

##### **4. COSTS**

The regulated parties are residential tenants and the owners of the rent regulated accommodations in which such tenants reside. There are no additional direct costs imposed on tenants or owners by these amendments. The amended regulations do not impose any new program, service, duty or responsibility upon any state agency or instrumentality thereof, or local government. In the main, any additional costs are less based on the regulatory choices made by DHCR in implementation of this statutory directive but on this statutory directive itself, which is an added overlay on the pre-existing Major Capital Improvement process. These additional costs need to be weighed against the already significant outlay by owners and the rent impact on tenants, as well as DHCR's responsibility leading to supervise, monitor, and make the major capital improvement process more transparent.

Owners of regulated housing accommodations voluntarily apply for an MCI rent increase within two years after finishing an MCI. Going forward, the owners of regulated housing accommodations who seek to receive an MCI rent increase, will need to be more vigilant to assure their compliance with these changes to the regulations and in their selection of pricing for major capital improvements. Compliance costs are already a generally accepted expense of owning regulated housing. Costs may be associated with conforming present business practices to this change in processing standards in that owners will often need to ensure that in contracting for major capital improvements that the costs do not exceed the schedule of reasonable costs or request a waiver of these requirements based on the good cause alternative procedures set forth in these regulations. DHCR has worked with experts in the field and reviewed historical data in an effort to assure that the schedule is reflective of the actual, reasonable costs for the major capital improvements. The majority of owners who operate in good faith and who do not attempt to inflate the costs of major capital improvements will be largely unaffected by the regulation. Moreover, the cost related to compliance in seeking to pay no more than reasonable costs are expenses that are consistent with good business practices of exercising due diligence to obtain a quality product and installation at a competitive price. Thus, even for applications pending before DHCR's rent administrator on the effective date of these regulations where the owner decides to seek a waiver the documentation required for that process is consistent with the business records an owner would maintain to justify paying the contract price in the first instance.

Tenants will largely not incur any additional costs through implementation of the proposed regulations and may incur less costs based on the ceiling for recovery of costs of major capital improvements.

##### **5. LOCAL GOVERNMENT MANDATES**

The proposed rulemaking will not impose any new program, service, duty or responsibility upon any level of local government.

##### **6. PAPERWORK**

The amendments may, in a limited fashion, increase the paperwork burden. There may be additional required documentation to establish compliance with the schedule of reasonable costs, but it is relatively minimal. There will be more instances where an owner may need to provide additional proof of the reasonable costs of major capital improvements, but owners must already provide documentation with its application to DHCR for a rent increase based on a major capital improvement. There may be more significant paperwork required from an owner associated with seeking an individualized assessment of reasonable costs either based on a waiver or a major capital improvement not covered by the schedule.

However, this kind of paperwork is not unique as a somewhat similar process is already extant in Major Capital Improvement processing with respect to the implementation of the useful life schedule in DHCR's regulations. Presumably the owner by making such an application, particularly for a waiver, has decided the benefits outweigh the additional paperwork and regulatory burden. In this context it should be noted that the absence of an item on the schedule that is MCI eligible does not mean that the reasonableness of its cost is not subject to review. Instead it will be subject to a more particularized review.

For certain items that may be MCI eligible, DHCR assessed that there was insufficient data available to determine a reasonable cost ceiling. In those instances, DHCR is not accepting costs without a reasonable cost review. That review will be included as part of case-by-case processing and is already encompassed in the waiver and alternative means process set forth in the regulations.

Where there is a particularized request, tenants will have an additional paperwork and regulatory burden of response if they choose and the non-substantive change to the regulation clarifies this previously implicit right of tenant notice of any waiver request and an opportunity to respond as part of the process which leads to a DHR determination on the owner's application for an increase. Primarily the reasonable cost schedule is designed to reduce the present burden on all parties and reduce most specifically tenants of particularized responses in establishing reasonable costs.



Case specific claims that the application of the changed regulations may require even greater flexibility or a different remedy, will be best handled in the context of the administrative applications where such factual claims can best be assessed.

#### 7. DUPLICATION

The amendments do not add any provisions that duplicate any known State or Federal requirements, nor any known City requirements. New York City, in the context of its J-51 program does have a reasonable cost schedule for improvements. However, the schedule has not been the subject of an update contemporaneous with the passage of the HSTPA and is used to calculate a tax incentive rather than for actual compensation of the costs of an MCI installation. In short, J-51 reflects one of many instances where a rent regulated property may also participate in another State, City or Federal housing program. In those instances, there is usually a need to comply with the DHCR regulations as well as the mandates of that City, State or Federal program.

#### 8. ALTERNATIVES

DHCR considered a number of alternative methodologies in creating this schedule.

DHCR did start out by reviewing the HPD J-51 schedule. However, for the reasons stated above, it could not be the sole source for review. Even updating those costs by any standard projection or index would be prone to some inaccuracies. Therefore, DHCR retained an expert engineering firm selected through a competitive bid process to consult with in the formulation of the reasonable cost schedule. DHCR also used its own staff with experience in MCI processing and its database of determinations as a source of data primarily to identify the types and categories of MCI applications. This work was augmented by construction management and its architecture and engineering staff, other state construction experts as well as certain data from the state affordable housing portfolio. DHCR did also examine the potential use of standardized industry accepted cost estimation software for new construction and reviewed information and input presented as well as listened to tenant and industry advocates and reviewing their submissions, a standard method of compliance indicated by a SAPA regulatory flexibility analysis.

DHCR determined that the reasonable cost schedule developed in conjunction with the outside consulting engineering firm augmented by the other reviews undertaken gave the most informed and comprehensive reflection of costs. DHCR created as part of these regulations, the possibility of gauging reasonable costs for major capital improvements not contained in the cost schedule as well as alternative submissions, even for those on the schedule, where it can be established that such an individualized project assessment is still necessary and appropriate. The experience of the outside consulting engineering firm and DHCR's own affordable housing and its rehabilitation staff concurred with that assessment of the cost of replacing major systems in buildings here of significant age and not constructed based on a single standard configuration can reasonably vary. As noted previously, the use of an individualized process where appropriate mirrors DHCR procedure in implementing useful life/depreciation schedule already part of DHCR's regulations and the safeguards to obtain reasonable costs reflect a competitive bidding procedures patterned after that used by DHCR in its Mitchell-Lama portfolio. Moreover, it almost goes without saying, that the present COVID-19 pandemic has created a level of uncertainty in the construction industry that makes reliance on historical data and projections by themselves, without acknowledging the possibility of the need for other alternatives, problematic.

#### 9. FEDERAL STANDARDS

The proposed amendments do not exceed any known minimum Federal standards.

#### 10. COMPLIANCE SCHEDULE

It is anticipated that for pending cases, regulated parties may require additional time to comply with the proposed rules. Where such time is necessary it will be reasonably provided in the context of these pending proceedings. As these new regulations will not be applied to cases which on their effective date have already been issued by the Rent Administrator but are on appeal, (whether in Appellate Courts, Supreme Court or PAR) the need for more complex compliance periods should be reduced significantly.

#### *Revised Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement*

A revised Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement are not required based on non-substantive changes to 9 NYCRR 2522.11(k), 2502.10(k), 2102.11(k) and 2202.28(k). The changes to the sections are merely a clarification that due process requirements of notice and opportunity to comment on any waiver application will be met in the processing of the major capital improvement (MCI) application. Therefore, this non-substantive change requires no modification of the Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

#### *Initial Review of Rule*

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

#### *Assessment of Public Comment*

A synopsis of comments and DHCR's responses is discussed below:

**Issue #1: Categories and Price Per-Unit Established in Operational Bulletin**

Some asserted that the operational bulletin is a legally invalid vehicle for itemization of individual MCI costs and that the allowable cost of each of the numerous potential MCI items must be established and altered only by regulation. Concern was expressed that that the operational bulletin could be subject to change without public input.

**DHCR's Response:**

The operational bulletin is designed in accordance with Regulation to update annually to reflect reasonable costs and changes thereto. In the regulation and in the accompanying regulatory impact statement (RIS), DHCR commits to issuing any annual update to the operational bulletin upon public notice and an opportunity to comment.

The operational bulletin is a legally valid method for establishing the reasonable cost schedule. The propriety of the mixture of regulatory standards as fixed principles and the embodiment of fact specific numbers in an operational bulletin has been previously upheld against various challenges in litigation as consistent with the State Administrative Procedure Act.

**Issue #2: Transparency in Creation of Schedule**

Some comments suggested a lack of transparency on the part of DHCR in creating the Schedule. Commenters also suggested DHCR should have included not-for profit organizations in helping to create the Schedule. Additional comments claimed that DHCR published the Schedule without the opportunity for prior public review. There were also comments asking why DHCR chose a specific engineering firm to assist in creating the Schedule.

**DHCR's Response:**

DHCR complied with the State Administrative Procedure Act and the Rent Stabilization Law requirements on public notice and comment and is analyzing and reacting to those comments as appropriate. Therefore, all interested individuals and entities were provided the opportunity to provide input regarding the proposed regulation and proposed Schedule.

Prior to the creation and submission of its formal proposal, DHCR met with both owner and tenant advocacy groups as indicated in the accompanying RIS and as authorized by SAPA.

DHCR also consulted with: DASNY, a state agency with an extensive background in New York State construction, and DHCR engineers who service New York Homes and Community Renewals (HCR) affordable housing programs. DHCR also reviewed a cost schedule prepared by a professional engineering firm that has done extensive work with CPC, a not-for-profit affordable housing lender. A record of the groups DHCR met with in person regarding the Regulations can be found here: <https://projects.unlight.ny.gov>

In selecting the private consultant, DHCR requested bids from engineers, architects, or any professional company that had specialized knowledge in construction in the New York State area to help assist in the creation of the Schedule. The request for bids and selection was made in accord with state procedures.

**Issue #3: Is Schedule of Reasonable Costs Aligned with the intent of HSPTA**

Commenters suggested that the Schedule should be more in line with the intent of HSPTA. Some seemingly implied that allowable MCI improvements should be limited based a perceived difference between market rate and affordable housing preservation standards.

**DHCR's Response:**

The Regulation and accompanying schedule conform both to the letter and intent of the HSTPA.

HSTPA provides that DHCR approve MCI costs which are reasonable, and actual and verifiable. The law does not allow for variants in reasonable costs based upon the income strata of the recipients that live in the units covered by the MCI.

**Issue #4: General and Specific Concerns Regarding the Schedule**

Many comments asserted errors and other issues with the proposed Schedule. Commentators suggested that:

- broadly, the costs reflected in the Schedule were excessive;
- the costs reflected in the Schedule could, in some circumstances, be insufficient or too low;
- greater detail or further breakdown of scheduled costs is needed;
- the Schedule did not account for cost variation based on building size, unit size and other factors;
- costs on the Schedule vary from the costs the commenters provided;
- areas outside of New York City should be separately scheduled from the costs for MCI's within New York City; and

- the Schedule should list every type of MCI and their rate of Internal Revenue Service ("IRS") depreciation.

In providing examples of errors or concerns with the Schedule commentators mentioned scheduled items including: (a) apartment doors, (b) apartment door locks, (c) apartment windows, (d) A/C brackets, (e) caulking, (f) bathroom GFI outlets, and (g) child guards.

DHCR's Response:

DHCR relied on expert opinion and professional guidance to create a cost schedule.

No preestablished schedule or array of schedules can fully account for the combination of factors (including building size, building location, building age, building design, variation in labor costs, material supply shortages, weather, logistical challenges, unique factual circumstances, etc.) that can lead to variations in reasonable cost. To address this, DHCR is establishing in these regulations, the alternative of an individualized process of review where circumstances warrant.

The costs reflected on the Schedule include installations that are MCI eligible and such related costs that are necessary and required to complete the installation of the eligible MCI item. Maintenance costs or cosmetic costs that are not necessary for the eligible MCI item or costs unrelated to the eligible MCI item are not included in the Schedule. The absence of an item on the schedule that is MCI eligible does not mean that the reasonableness of its cost is not subject to review.

DHCR assessed that there was insufficient data available to determine a reasonable cost ceiling for certain items. DHCR is not accepting costs without a reasonable cost review. That review will be included in case processing and is already encompassed in the waiver and alternative means process. Not every item on the Schedule is considered an eligible MCI item and of itself, some are for items considered necessary and related expenses to eligible MCI items. Only items that are either MCI eligible or necessary related expenses are included in the approved costs for an MCI rent increase.

The unit size is considered in the MCI calculation itself as the MCI rent increase per unit is based on the number of rooms in the unit.

DHCR made modifications to the Reasonable Cost Schedule set forth in Operational Bulletin 2020-1 as detailed in the full version of the Assessment of Public Comments.

Issue #5: Should Regulations be More Explicit as to the Acceptable Alternative Means to Establish a Waiver

A comment suggested that DHCR should be more explicit as to the acceptable alternative means to establish a waiver related to existing (pre-HSTPA) MCI applications or MCI work. It was specifically requested that a certification by an expert should be accepted to support granting such a waiver.

DHCR's Response:

Each waiver request must be reviewed on a case by case basis, subject to notice to tenants and possible challenge. It would not be appropriate for DHCR to commit to a single methodology to justify or deny a waiver from the scheduled reasonable costs.

Issue #6: Are Certain Expenses or Items Not Previously Subject to MCI Rent Increases now MCI Eligible?

A comment queried whether the references in various documents to related expenses means that certain expenses not previously subject to MCI compensation may now be MCI eligible by virtue of these articulated DHCR standards. Similar comment suggested several items that do not meet the requirements of an MCI and/or that the costs included in the Schedule do not reflect policy outlined in DHCR's Fact Sheets.

DHCR's Response:

DHCR is not expanding MCI eligibility to items not previously MCI eligible. The term "related expenses" is used instead to incorporate attendant expenses previously allowed for MCI treatment and not otherwise precluded by HSTPA. Further, just an item being listed on the Schedule does not mean it will categorically be eligible for an MCI rent increase.

Issue #7: General Assertions of Economic Inequity based on HSTPA's Changes to MCI Compensation Structure and Potential Impact on Housing Stock

There were comments asserting the general unfairness and economic impact surrounding HSTPA's changes significantly limiting owners' ability to recover sums spent on MCI work. At least one comment noted that the application of the Schedule of Reasonable Costs to pending matters at the Rent Administrator's level and related to work commenced or financed in anticipation of the MCI rules remaining unchanged, raises significant constitutional questions under the Regina Metropolitan case.

DHCR's Response:

Regarding constitutionality and the Regina Metropolitan decision, the Court in Regina Metropolitan drew a distinction between the retroactive creation of overcharge liability for past behavior, as contrasted with to the prospective application of rent increase formulas to applications like those at issue here. Given the past legislative and regulatory history at the time the MCI at issue work was done, owners did not have any reasonable

expectation that law and rules governing MCI eligibility would remain constant and not subject to change.

Issue #8: Does Availability of Waivers in Limited Factual Circumstances Align with directives of HSTPA?

Commenters suggested that any waiver or variation attached to implementation of the MCI Schedule of Reasonable Costs is not aligned with HSTPA.

DHCR's Response:

As noted in the RIS, waivers have been a traditional part of MCI processing where schedules are in use, such as with useful life, in order to create an individualized assessment where necessary.

Issue #9: Should Issuance of MCI Rent-Increase Orders be Delayed Until there is a Finalized Schedule?

Comments suggested that issuance of MCI orders rent-increase orders be delayed until there is a finalized schedule.

DHCR's Response:

HSTPA and SAPA allow for the issuance of MCI rent increases before the promulgation of the Regulations.

Issue #10: MCI Installations Should Not Allow for Limitation of Services

Certain comments alleged that MCI installations are an end-run around of the requirement to provide services and the limitation on additional compensation for services that the owner is already under obligation to maintain.

DHCR's Response:

Owners need to apply with DHCR for modifications in services through a separate application process that adheres to the already established methods of DHCR. Additionally, tenants have the right and the ability to contest MCI applications asserting failure to exhaust useful life or failure to reasonably maintain.

Issue #11: Licensed professional costs

Commenters raised concerns with the costs to owners to certify costs and the need for licensed professionals.

DHCR's Response:

DHCR has previously provided guidance on non-construction costs under Policy Statement 2017-1.

Issue #12: Application of Schedule in pending MCI applications before DHCR RA and on PAR

One commenter requested that the Schedule should be applied retroactively to all pending MCI applications as well as to appeals of prior MCI application decisions (also known as a "Petition for Administrative Review").

DHCR's Response:

DHCR has already issued official guidance on the application of the HSTPA to MCI applications under Fact Sheet #24.

Issue #13: Comments suggested that the Schedule includes matters which have never been or are no longer MCI eligible under the HSTPA

Commentators asserted that DHCR included in the Schedule items that are no longer available for MCI rent increases based on various changes to the MCI definition in HSTPA, most specifically that the improvement be essential for preservation, energy, efficiency, functionality or infrastructure of the entire building and that no increase be approved for group work done in individual apartments that is otherwise not an improvement to the entire building.

DHCR's Response:

DHCR eliminated certain items from any consideration in creating its reasonable cost schedule. The rest of the more specific complaints fall within individualized factual assessment under these standards and may also be the subject of additional comment upon the proposal of additional MCI regulations.

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## Long Island Power Authority

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### NOTICE OF ADOPTION

**Authority's Annual Budget, As Reflected in the Rates and Changes in the Tariff for Electric Service**

**I.D. No.** LPA-37-20-00008-A

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** The Long Island Power Authority adopted modifications to

its Tariff for Electric Service to implement rate adjustments per its annual budget process.

**Statutory authority:** Public Authorities Law, section 1020-f(u) and (z)

**Subject:** Authority's annual budget, as reflected in the rates and changes in the Tariff for Electric Service.

**Purpose:** To implement the Authority's annual budget and corresponding rate adjustments.

**Text or summary was published** in the September 16, 2020 issue of the Register, I.D. No. LPA-37-20-00008-P.

**Final rule as compared with last published rule:** No changes.

**Text of rule and any required statements and analyses may be obtained from:** Elisa Rodriguez, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9861, email: tariffchanges@lipower.org

#### **Revised Regulatory Impact Statement**

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Regulatory Flexibility Analysis**

A revised regulatory flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Rural Area Flexibility Analysis**

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

### **NOTICE OF ADOPTION**

#### **Implement Program of Community Distributed Generation Net Crediting for Value Stack CDG Hosts**

**I.D. No.** LPA-37-20-00009-A

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** The Long Island Power Authority adopted modifications to its Tariff for Electric Service to implement Community Distributed Generation ("CDG") Net Crediting for Value Stack CDG Hosts in accordance with Public Service Commission Orders.

**Statutory authority:** Public Authorities Law, section 1020-f(u) and (z)

**Subject:** Implement Program of Community Distributed Generation Net Crediting for Value Stack CDG Hosts.

**Purpose:** This program will allow CDG Satellites to receive one bill from LIPA.

**Text or summary was published** in the September 16, 2020 issue of the Register, I.D. No. LPA-37-20-00009-P.

**Final rule as compared with last published rule:** No changes.

**Text of rule and any required statements and analyses may be obtained from:** Elisa Rodriguez, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9861, email: tariffchanges@lipower.org

#### **Revised Regulatory Impact Statement**

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Regulatory Flexibility Analysis**

A revised regulatory flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Rural Area Flexibility Analysis**

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

### **NOTICE OF ADOPTION**

#### **To Limit the RDM Rate and Amend the DSA to Reduce Any Potential Impact on Customers in Any Particular Year**

**I.D. No.** LPA-37-20-00010-A

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** The Long Island Power Authority adopted modifications to its Tariff for Electric Service to adjust the Revenue Decoupling Mechanism ("RDM") and the Delivery Service Adjustment ("DSA") to mitigate future volatility.

**Statutory authority:** Public Authorities Law, section 1020-f(u) and (z)

**Subject:** To limit the RDM rate and amend the DSA to reduce any potential impact on customers in any particular year.

**Purpose:** To reconcile costs and allow LIPA to provide service at the lowest possible cost.

**Text or summary was published** in the September 16, 2020 issue of the Register, I.D. No. LPA-37-20-00010-P.

**Final rule as compared with last published rule:** No changes.

**Text of rule and any required statements and analyses may be obtained from:** Elisa Rodriguez, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9861, email: tariffchanges@lipower.org

#### **Revised Regulatory Impact Statement**

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Regulatory Flexibility Analysis**

A revised regulatory flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Rural Area Flexibility Analysis**

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

### **NOTICE OF ADOPTION**

#### **LIPA's Time of Use Rates Options**

**I.D. No.** LPA-37-20-00011-A

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** The Long Island Power Authority adopted modifications to its Tariff for Electric Service to add four time-of-use ("TOU") Residential Rates and a TOU Small Commercial Rate.

**Statutory authority:** Public Authorities Law, section 1020-f(u) and (z)

**Subject:** LIPA's Time of Use Rates Options.



**Purpose:** To offer customers the opportunity to reduce or shift demand more easily and manage their usage outside of the peak timeframe.

**Text or summary was published in** the September 16, 2020 issue of the Register, I.D. No. LPA-37-20-00011-P.

**Final rule as compared with last published rule:** No changes.

**Text of rule and any required statements and analyses may be obtained from:** Elisa Rodriguez, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9861, email: [tariffchanges@lipower.org](mailto:tariffchanges@lipower.org)

#### **Revised Regulatory Impact Statement**

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#### **Revised Regulatory Flexibility Analysis**

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#### **Revised Rural Area Flexibility Analysis**

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

### **NOTICE OF ADOPTION**

#### **Implement New Provisions of Public Service Law ("PSL") Section 66-p**

**I.D. No.** LPA-37-20-00012-A

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** The Long Island Power Authority adopted modifications to its Tariff for Electric Service to allow for potential lessee, potential tenant, or the current landlord to request electric charges incurred by the property for the prior two years.

**Statutory authority:** Public Authorities Law, section 1020-f(u) and (z)

**Subject:** Implement new provisions of Public Service Law ("PSL") section 66-p.

**Purpose:** In accordance with PSL section 66-p, provide a landlord or lessor of a residential rental premises historical billing information.

**Text or summary was published in** the September 16, 2020 issue of the Register, I.D. No. LPA-37-20-00012-P.

**Final rule as compared with last published rule:** No changes.

**Text of rule and any required statements and analyses may be obtained from:** Elisa Rodriguez, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9861, email: [tariffchanges@lipower.org](mailto:tariffchanges@lipower.org)

#### **Revised Regulatory Impact Statement**

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Regulatory Flexibility Analysis**

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#### **Revised Rural Area Flexibility Analysis**

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### **Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

## **Metro-North Commuter Railroad**

### **EMERGENCY RULE MAKING**

#### **Requiring Mask Wearing Covering the Nose and Mouth When Using Terminals, Stations and Trains Operated by Metro-North Railroad**

**I.D. No.** MCR-39-20-00004-E

**Filing No.** 7

**Filing Date:** 2021-01-11

**Effective Date:** 2021-01-11

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of Part 1085 of Title 21 NYCRR.

**Statutory authority:** Public Authorities Law, section 1266(4) and (5)

**Finding of necessity for emergency rule:** Preservation of public health, public safety and general welfare.

**Specific reasons underlying the finding of necessity:** The emergency amendment is necessary to safeguard public health and safety and to ensure through mandated mask wearing covering the nose and mouth that the public, health care providers, first responders, and other essential workers who rely on subways and trains to get to and from work and also our employees are protected during the COVID-19 outbreak.

**Subject:** Requiring mask wearing covering the nose and mouth when using terminals, stations and trains operated by Metro-North Railroad.

**Purpose:** To safeguard the public health and safety by amending rules requiring use of masks when using Metro-North facilities.

**Text of emergency rule:** Section 1085.4 is amended to add a new subdivision (g) to read as follows:

(g) All persons in a terminal, station or train shall comply with all lawful orders and directives of any police officer, peace officer or any Metro-North Railroad or Authority employee acting within the scope of their employment, including one pursuant to an order or directive issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or an order or directive issued by the Authority that includes requiring the wearing of masks or face coverings by any individual who is over the age of two and is able to medically tolerate a face-covering. Masks or face coverings must be worn in a manner covering the nose and mouth. Any person who does not comply with such an order or directive requiring wearing of masks or face coverings in a manner covering the nose and mouth may be barred from entering, or be ejected from, any terminal, station, or train, in addition to a fine of \$50.00.

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. MCR-39-20-00004-EP, Issue of September 30, 2020. The emergency rule will expire March 11, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Peter Siström, Metropolitan Transportation Authority, 2 Broadway, New York, New York 10004, (212) 878-7176, email: [psistrom@mtahq.org](mailto:psistrom@mtahq.org)

#### **Regulatory Impact Statement**

Statutory authority: Section 1204(5-a) provides that the New York City Transit Authority may adopt rules and regulations governing the conduct and safety of the public as it may deem necessary, convenient or desirable for the use and operation of the transit facilities under its jurisdiction; Sections 1266(4) and (5) of the Public Authorities Law provide that the Metropolitan Transportation Authority and its subsidiary public benefit corporations may adopt rules and regulations governing the conduct and safety of the public as they may deem necessary, convenient or desirable for the use of any transportation facility and related services operated by it or its subsidiaries. Under the Executive Law, the Governor has declared a state disaster emergency and has issued Executive Order 202.18, which requires "any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate

a face covering, [to] wear a mask or face covering over the nose and mouth during any such trip.”

**Legislative objectives:** The Legislature has conferred on the New York City Transit Authority and the Metropolitan Transportation Authority and their subsidiaries the authority to ensure the safety of their passengers and employees. Both have exercised that authority to adopt rules of conduct governing the conduct and safety of the public in the use of their facilities; this amended rule furthers the Legislature’s objective by safeguarding public health and safety during the State disaster emergency related to the COVID-19 outbreak and after.

**Needs and benefits:** The proposed amendment is necessary to safeguard public health and safety to ensure that persons who rely on subways to get to and from work comply with the public health guidance to wear a mask or face covering to try to limit the transmission of COVID-19.

**Costs:** (a) Regulated parties. The proposed amendments to the rules governing conduct and safety do not impose new costs on passengers or others. (b) State and local government. The proposed amendments to the rules governing conduct and safety will not impose any new costs on State or local governments.

**Local government mandates:** The proposed amended rules do not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department’s Transit Bureau is already responsible with others in enforcing the New York City Transit Authority’s Rules Governing the Conduct and Safety of the Public, and the MTA Police Department is responsible for enforcing the comparable rules and regulations governing the conduct and safety of the public on trains and stations operated by the Metropolitan Transportation Authority’s two commuter railroads.

**Paperwork:** The proposed amended rules do not impose any new reporting requirements.

**Duplication:** The proposed amended rules do not duplicate, overlap, or conflict with any State or Federal rule.

**Alternatives:** No significant alternatives to these amendments were considered.

**Federal standards:** The proposed amended rule does not exceed any Federal minimum standards.

**Compliance schedule:** There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency amendment to the existing rules governing the conduct and safety of the public will be effective immediately.

#### ***Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement***

A regulatory flexibility analysis for small businesses and local governments, a rural area flexibility analysis, and a job impact statement are not required for this rulemaking because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This rulemaking will authorize law enforcement officers and designated employees of the Metropolitan Transportation Authority and Metro-North Railroad to enforce compliance with orders and directives issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or the Metropolitan Transportation Authority requiring persons in a terminal, station or train to wear masks or face coverings in a manner covering the nose and mouth. Due to its narrow focus, this proposed emergency rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

#### ***Assessment of Public Comment***

On September 11, 2020, Metro-North Commuter Railroad Company (MNR) and several other Metropolitan Transportation Authority (MTA) operating affiliates and subsidiaries submitted to the Secretary of State Notices of Emergency Adoption and Proposed Rule Making; they were published in the New York State Register on September 30, 2020. The MNR emergency rule, which was identical to the proposed rule, became effective upon filing. The emergency rule was filed to ensure compliance with Executive Order 202.18, issued April 16, 2020, which requires all persons using public or private transportation carriers over the age of two and able to medically tolerate a face covering to wear a mask or face covering over the nose and mouth, and also with Executive Order 202.62, issued September 11, 2020, in which Governor Cuomo directed the MTA and its operating agencies to “promulgate an enforcement plan to ensure compliance with all EOs and guidance applicable to MTA’s operations, including enforcement of face-covering requirements and ensuring availability of face-coverings for riders” and directed the MTA and its operating agencies to issue any emergency rules needed to effectuate the Executive Order.

MNR summarizes all of the public comments that MTA has received during the time permitted for public comment following publication of the proposed mask rules in the New York State Register in September even

though most of those comments did not refer specifically to MNR’s proposed rule:

The MTA has received over 40 comments on the proposed rules requiring the wearing of masks or face coverings while in terminals, subway and commuter train stations, subway cars, buses, and commuter trains, divided almost evenly between those in favor of the proposed rules and those who object to them.

Seventeen commentators supported the proposed rules that require the wearing of masks covering the nose and mouth and urged more vigorous enforcement or penalties more severe than the \$50 fine. One commentator suggested that the MTA operating agencies hand out masks to all customers upon request, including those already wearing masks. One commentator supported the proposed rules but objected to the exception for very young children. And another commentator who supports adoption of the proposed rule urged the MTA operating agencies to use his own mask design. Several commentators asserted that the scientific and medical evidence does not establish the efficacy of wearing face masks while using public transportation to prevent or limit the spread of COVID-19. Others suggested that since COVID-19 is only a “minor” illness, the proposed rules are unnecessary. Six commentators oppose the proposed rules because they contend that masks unduly restrict breathing, may cause hypoxia, or may increase the risk of infection if the mask becomes contaminated. And others raised concerns that some people are not medically able to tolerate masks and assert that the proposed rule discriminates against the disabled. We note that the proposed rules expressly provide that only those who are “able to medically tolerate a face covering” are obliged to wear one. Five commentators asserted that having to wear masks impinges on religious rights.

MTA continues to evaluate all the public comments but has not yet decided whether to adopt the proposed mask rules or to revise them and therefore is not yet ready—and is not required—to fully assess and respond to all the comments.

## **Office of Parks, Recreation and Historic Preservation**

### **PROPOSED RULE MAKING NO HEARING(S) SCHEDULED**

#### **Fees and Charges for the Use of State Parks, Parkways, Historic Sites and Recreational Facilities**

**I.D. No.** PKR-04-21-00005-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** This is a consensus rule making to repeal Parts 381, 383; renumber Part 382 to 381 of Title 9 NYCRR.

**Statutory authority:** Parks, Recreation and Historic Preservation Law, section 3.09(8); State Administrative Procedure Act, section 102(2)(b)(xi)(2)(3)(4)

**Subject:** Fees and charges for the use of State parks, parkways, historic sites and recreational facilities.

**Purpose:** To repeal outdated fees and charges that are not required to be posted in regulation.

**Text of proposed rule:** 9 NYCRR Part 381 and Part 383 are repealed and Part 382 is renumbered Part 381.

**Text of proposed rule and any required statements and analyses may be obtained from:** Kathleen Martens, Supervising Attorney, Office of Parks, Recreation and Historic Preservation, 625 Broadway, Albany, New York, (518) 486-2921, email: Rule.Making@parks.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** 60 days after publication of this notice.

#### **Consensus Rule Making Determination**

The New York State Office of Parks, Recreation and Historic Preservation submits this proposal as a consensus rulemaking pursuant to the State Administrative Procedure Act (SAPA) Section 202(1)(b)(i), having determined that no person is likely to object to the amendment as it repeals regulatory fee provisions, implements statutory requirements and involves a non-controversial activity. The fees and charges being repealed do not need to be posted in regulation as they are excepted from the definition of a “rule” in SAPA Section 102(2)(b)(xi)(2)(3) and (4).

**Job Impact Statement**

The regulations that are the subject of this proposed rulemaking (9 NYCRR Parts 381 and 383) establish fees or charges for the use of State parks, parkways, historic sites and recreational facilities under the jurisdiction of Office of Parks, Recreation and Historic Preservation (OPRHP). The proposed repeal removes outdated fees and regulations that are not required by statute; therefore, the amendment will not affect jobs or employment opportunities.

## Office for People with Developmental Disabilities

### NOTICE OF WITHDRAWAL

**Medical Regimen Review**

**I.D. No.** PDD-49-20-00001-W

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Notice of proposed rule making, I.D. No. PDD-49-20-00001-PC, has been withdrawn from consideration. The notice of proposed rule making was published in the *State Register* on December 9, 2020.

**Subject:** Medical regimen review.

**Reason(s) for withdrawal of the proposed rule:** Public comment received objecting to the consensus rule.

### PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

**Annual Prevocational Assessment**

**I.D. No.** PDD-04-21-00001-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** Amendment of section 635-10.4 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 13.07, 13.09(b), 13.15(a) and 16.00

**Subject:** Annual Prevocational Assessment.

**Purpose:** To allow such assessments to be conducted at a location specified by OPWDD.

**Text of proposed rule:** Amendment to section 635-10.4(c)(6)(i) to read as follows:

(i) The Annual Prevocational Services Assessment must be conducted in [the community at a non-certified site] *a location prescribed by OPWDD.*

**Text of proposed rule and any required statements and analyses may be obtained from:** Mary Beth Babcock, Office for People With Developmental Disabilities, 44 Holland Ave, Albany, NY 12229, (518) 474-7700, email: rau.unit@opwdd.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** 60 days after publication of this notice.

**Additional matter required by statute:** Pursuant to the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

**This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.**

**Regulatory Impact Statement**

## 1. Statutory authority:

a. The Office for People With Developmental Disabilities (OPWDD) has the statutory responsibility to provide and encourage the provision of appropriate programs, supports, and services in the areas of care, treatment, habilitation, rehabilitation, and other education and training of persons with intellectual and developmental disabilities, as stated in the New York State (NYS) Mental Hygiene Law (MHL) Section 13.07.

b. OPWDD has the authority to adopt rules and regulations necessary and proper to implement any matter under its jurisdiction as stated in the NYS MHL Section 13.09(b).

c. OPWDD has the statutory authority to adopt regulations concerned with the operation of programs and the provision of services, as stated in the NYS MHL Section 16.00. The regulation also ensures compliance by OPWDD certified and operated residences with the proper provision of services.

2. Legislative objectives: The proposed regulations further legislative objectives embodied in MHL sections 13.07, 13.09(b), and 16.00. The regulations amend Title 14 New York Codes Rules and Regulations (NYCRR) Subpart 635-10.4 in order provide flexibility to providers in completing the annual prevocational assessment.

3. Needs and benefits: The proposed regulation amends Title 14 NYCRR Subpart 635-10.4 to allow providers additional locations to complete the annual prevocational assessment. This amendment is necessary to assist providers in completing the annual prevocational assessment in locations specified by OPWDD, removing the limitation of these assessments being conducted "in the community," which during the COVID-19 Public Health Emergency is an impossibility.

## 4. Costs:

a. Costs to the Agency and to the State and its local governments:

There is no anticipated impact on Medicaid expenditures as a result of the proposed regulations.

These regulations will not have any fiscal impact on local governments.

There are no anticipated costs to OPWDD in its role as a provider of services to comply with the new requirements.

b. Costs to private regulated parties: There are no anticipated costs to regulated providers to comply with the proposed regulations. The amendments modify the locations for completing annual prevocational assessments.

5. Local government mandates: There are no new requirements imposed by the rule on any other county, city, town, village; or school, fire, or other special district.

6. Paperwork: Providers will experience no increase in paperwork as a result of the proposed regulations.

7. Duplication: The proposed regulations do not duplicate any existing State or Federal requirements on this topic.

8. Alternatives: OPWDD did not consider any other alternatives to the proposed regulations. The regulations are necessary to ensure public health, public welfare, and public safety. The regulation is necessary to implement flexibilities for providers to complete the annual prevocational assessment, due to the COVID-19 public health emergency.

9. Federal standards: The proposed amendments do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: OPWDD plans to adopt the regulations after the 60-day comment period is complete. The proposed regulations were discussed with and reviewed by representatives of providers in advance of this proposal. OPWDD expects that providers will be in compliance with the proposed requirements at the time of their effective date(s).

**Regulatory Flexibility Analysis**

A regulatory flexibility analysis for small businesses and local governments is not being submitted because these amendments will not impose any adverse economic impact or reporting, record keeping or other compliance requirements on small businesses. There are no professional services, capital, or other compliance costs imposed on small businesses as a result of these amendments.

The proposed regulations amend Title 14 NYCRR Subpart 635-10.4 to allow the completion of the annual prevocational assessment to be completed at a location specified by OPWDD. The amendments will not result in costs or new compliance requirements for regulated parties and consequently, the amendments will not have any adverse effects on providers of small business and local governments.

**Rural Area Flexibility Analysis**

A Rural Area Flexibility Analysis for these amendments is not being submitted because the regulation will not impose any adverse impact or significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed regulation.

The proposed regulation amends Title 14 NYCRR Subpart 635-10.4 in order to allow providers to complete the annual prevocational assessment in a location specified by OPWDD and is necessary during the COVID-19 Public Health Emergency. The regulation will not result in an adverse impact on rural communities because the regulation applies to all providers of these services. The proposed regulation will not result in costs for regulated parties. Therefore, the amendments will not have any adverse effects on providers in rural areas and local governments.

**Job Impact Statement**

A Job Impact Statement for the proposed regulation is not being submitted because it is apparent from the nature and purpose of the regulation



that they will not have a substantial adverse impact on jobs and/or employment opportunities.

The proposed regulation amends Title 14 NYCRR Subpart 635-10.4 in order to allow providers to conduct the annual prevocational assessment in a location to be specified by OPWDD. The regulation will result in no new compliance requirements for providers. These amendments will allow for greater flexibility for providers in completing the required assessments. The regulation will not have a substantial impact on jobs or employment opportunities in New York State.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Medication Regimen Review

**I.D. No.** PDD-04-21-00006-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** Amendment of sections 633.16, 633.17 of Title 14 NYCRR. This rule was previously proposed as a consensus rule making under I.D. No. PDD-49-20-00001-P.

**Statutory authority:** Mental Hygiene Law, sections 13.07, 13.09(b) and 16.00

**Subject:** Medication regimen review.

**Purpose:** Make technical corrections to align with current regulation allowing for an annual medication regimen review or more frequently.

**Text of proposed rule:** Existing subparagraph 633.16(j)(5)(d) is amended to read as follows:

(d) A [semi-annual] medication regimen review that includes any medications prescribed to treat a co-occurring diagnosed psychiatric disorder, or to prevent, modify, or control challenging behavior(s), must be conducted in accordance with section 633.17 of this Part. The results of these medication regimen reviews shall be shared with the person's program planning team and the prescriber, and documented in the person's record, in order to assist healthcare providers and the team to evaluate whether the benefits of continuing the medication(s) outweigh the risk inherent in potential side effects.

Existing subparagraph 633.17(b)(8) is amended to read as follows:

(8) OPWDD shall verify that the medication regimen of each person in a residential facility has been reviewed at least [semi-annually] by a registered nurse, physician, physician's assistant, or pharmacist.

**Text of proposed rule and any required statements and analyses may be obtained from:** Mary Beth Babcock, Office for People With Developmental Disabilities, 44 Holland Avenue, Albany, NY 12229, (518) 474-7700, email: rau.unit@opwdd.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

**Public comment will be received until:** 60 days after publication of this notice.

**Additional matter required by statute:** Pursuant to the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

**This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.**

### Consensus Withdrawal Objection

OPWDD is withdrawing a previous consensus filed rule for these amendments as an objection to the consensus rule has been received.

The commenter felt that the change to yearly annual assessments of medication regimen review would make the review "meaningless." Further, he recommended more frequent reviews, no matter the situation.

As these amendments would conform to coincide with existing regulations, that allow annual medication regimen review, or reviews more frequently, as needed, the comment will be addressed before this proposed regulation is adopted as final.

The concern raised by this commenter is addressed in existing regulations. Current regulations allow for additional reviews as needed, for example if there is a hospitalization or a major medical change.

### Regulatory Impact Statement

1. Statutory Authority:

a. The Office for People With Developmental Disabilities (OPWDD) has the statutory responsibility to provide and encourage the provision of appropriate programs, supports, and services in the areas of care, treatment, habilitation, rehabilitation, and other education and training of persons with intellectual and developmental disabilities, as stated in the New York State (NYS) Mental Hygiene Law (MHL) Section 13.07.

b. OPWDD has the authority to adopt rules and regulations necessary and proper to implement any matter under its jurisdiction as stated in the NYS MHL Section 13.09(b).

c. OPWDD has the statutory authority to adopt regulations concerned with the operation of programs and the provision of services, as stated in the NYS MHL Section 16.00. The regulation also ensures compliance by OPWDD certified and operated residences with the proper provision of services.

2. Legislative Objectives: The proposed regulations further legislative objectives embodied in MHL sections 13.07, 13.09(b), and 16.00. The regulations amend Title 14 New York Codes Rules and Regulations (NYCRR) Subpart 633.16 and 633.17 in order provide flexibility to providers in completing the medication regimen review.

3. Needs and Benefits: The proposed regulation amends Title 14 NYCRR Subpart 633.16 and 633.17 to allow providers flexibility in completing the individual's medication regimen review. It also requires providers to conduct the medication review as needed, based on the needs of the individual.

4. Costs:

a. Costs to the agency and to the State and its local governments:

There is no anticipated impact on Medicaid expenditures as a result of the proposed regulations.

These regulations will not have any fiscal impact on local governments.

There are no anticipated costs to OPWDD in its role as a provider of services to comply with the new requirements.

b. Costs to private regulated parties: There are no anticipated costs to regulated providers to comply with the proposed regulations.

5. Local Government Mandates: There are no new requirements imposed by the rule on any other county, city, town, village; or school, fire, or other special district.

6. Paperwork: Providers may experience a decrease in paperwork as a result of the proposed regulations.

7. Duplication: The proposed regulations do not duplicate any existing State or Federal requirements on this topic.

8. Alternatives: OPWDD did not consider any other alternatives to the proposed regulations, as these amendments makes technical changes to conform with existing regulation.

9. Federal Standards: The proposed amendments do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance Schedule: OPWDD plans to adopt the regulations after the 60-day comment period is complete. The proposed regulations were discussed with and reviewed by representatives of providers in advance of this proposal. OPWDD expects that providers will be in compliance with the proposed requirements at the time of their effective date(s).

### Regulatory Flexibility Analysis

A regulatory flexibility analysis for small businesses and local governments is not being submitted because these amendments will not impose any adverse economic impact or reporting, record keeping or other compliance requirements on small businesses or local governments. There are no professional services, capital, or other compliance costs imposed on small businesses or local governments as a result of these amendments.

The proposed regulation amends Title 14 NYCRR Subpart 633.16 and 17 to provide consistency with existing regulations allowing for the completion of a medicine regimen review to be completed on an annual, or more frequently as needed, basis. The amendments will not result in costs or new compliance requirements for regulated parties and consequently, the amendments will not have any adverse effects on providers of small business and local governments.

### Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis for these amendments is not being submitted because the regulation will not impose any adverse impact or significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed regulation.

The proposed regulation amends Title 14 NYCRR Subpart 633.16 and 17 to provide consistency with existing regulations allowing for the completion of a medicine regimen review to be completed on an annual, or more frequently as needed, basis. The amendments will not result in costs or new compliance requirements for regulated parties and consequently, the amendments will not have any adverse effects on providers in rural areas.

### Job Impact Statement

A Job Impact Statement for the amendments is not being submitted because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

The purpose of these amendments is to provide increased flexibility for

providers to complete a medication regimen review at least annually instead of semi-annually or more frequently on an as needed basis. By reducing the required number in half, this regulation will assist providers in focusing on caring for their service recipients rather than completing paperwork. The amendments will not result in increased staffing costs, and the compliance requirements for providers are less than required under the existing regulation. Consequently, the amendments will not have a substantial impact on jobs or employment opportunities in New York State.

## Public Service Commission

### PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

#### Proposed Tariff Revisions for the DLM Program Summer 2021 Capability Period

I.D. No. PSC-04-21-00011-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a November 16, 2020 tariff filing by Niagara Mohawk Power Corporation d/b/a National Grid to effectuate revisions to its Dynamic Load Management (DLM) Programs and tariffs.

**Statutory authority:** Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

**Subject:** Proposed tariff revisions for the DLM Program summer 2021 capability period.

**Purpose:** More efficient demand response programs to gain operational efficiency and shave peak demand.

**Substance of proposed rule:** The Commission is considering an annual report, filed on November 16, 2020, by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid or the Company) detailing Dynamic Load Management (DLM) Program offerings, performance, and proposed DLM Program changes for the next Capability Period in compliance with prior Public Service Commission (Commission) Orders.

Additionally, on November 17, 2020, National Grid filed draft tariff amendments to remove some of the temporary program changes for the 2021 summer capability period directed by the Commission's May 14, 2020, Order Directing Demand Response (DR) Program Modifications on and Expedited Basis to provide additional flexibility to help ease the extraordinary impacts of the declared State disaster emergency for the COVID-19 virus on DR market participants. Specifically, the Company proposes to allow customers with newly installed interval meters to participate in the Commercial System Relief Program (CSRP) and Distribution Load Relief Program (DLRP) even if their meter communications are not yet operational when participation starts. The Company proposes to discontinue the temporary measures of extending CSRP and DLRP enrollment deadlines to June 1 for a July 1 start date, to discontinue postponing test events until July 1, and to discontinue the temporary measure of allowing customers to change their pledged load relief in July.

The full text of the filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0189SP9)

### PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

#### Proposed Tariff Revisions and Clarifications for the DLM Program Summer 2021 Capability Period

I.D. No. PSC-04-21-00012-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a November 17, 2020 filing by Orange and Rockland Utilities, Inc. (O&R) to effectuate revisions to its Dynamic Load Management (DLM) Programs and tariffs.

**Statutory authority:** Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

**Subject:** Proposed tariff revisions and clarifications for the DLM Program summer 2021 capability period.

**Purpose:** More efficient demand response programs to gain operational efficiency and shave peak demand.

**Substance of proposed rule:** The Commission is considering an annual report, filed on November 17, 2020, by Orange and Rockland Utilities, Inc. (O&R or the Company) detailing Dynamic Load Management (DLM) Program offerings, performance, and proposed DLM Program changes for the next Capability Period in compliance with prior Public Service Commission (Commission) Orders.

The Company proposes to extend some of the temporary program changes for the 2021 summer capability period directed by the Commission's May 14, 2020, Order Directing Demand Response (DR) Program Modifications on and Expedited Basis to provide additional flexibility to help ease the extraordinary impacts of the declared State disaster emergency for the COVID-19 virus on DR market participants. Specifically, the Company proposes to allow customers with newly installed interval meters to participate in the Commercial System Relief Program (CSRP) and Distribution Load Relief Program (DLRP) even if their meter communications are not yet operational when participation starts. O&R proposes to discontinue the temporary measures of extending CSRP and DLRP enrollment deadlines to June 1 for a July 1 start date, to discontinue postponing test events until July 1, and to discontinue the temporary measure of allowing customers to change their pledged load relief in July.

Additionally, O&R proposes a technical change to the DLRP to comply with the new nitrous oxide emissions control requirements from the New York State Department of Environmental Conservation. The Company also proposes to change the language under the Reservation Payment Option for the DLRP to allow Performance Payments for test events for the duration of the Load Relief achieved instead of the present limited Performance Payment for one hour of Load Relief, and to increase the minimum monthly Performance Factor threshold from 25 percent to 50 percent.

The full text of the filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0191SP7)

### PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

#### Proposed Tariff Revisions for the DLM Program Summer 2021 Capability Period

I.D. No. PSC-04-21-00013-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:



**Proposed Action:** The Commission is considering a November 15, 2020 filing by New York State Electric & Gas Corporation (NYSEG) to effectuate revisions to its Dynamic Load Management (DLM) Programs and tariffs.

**Statutory authority:** Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

**Subject:** Proposed tariff revisions for the DLM Program summer 2021 capability period.

**Purpose:** More efficient demand response programs to gain operational efficiency and shave peak demand.

**Substance of proposed rule:** The Commission is considering an annual report, filed on November 13, 2020, by New York State Electric & Gas Corporation (NYSEG or the Company) detailing Dynamic Load Management (DLM) Program offerings, performance, and proposed DLM Program changes for the next Capability Period in compliance with prior Public Service Commission (Commission) Orders.

NYSEG proposes to extend some of the temporary program changes for the 2021 summer capability period directed by the Commission's May 14, 2020, Order Directing Demand Response (DR) Program Modifications on and Expedited Basis to provide additional flexibility to help ease the extraordinary impacts of the declared State disaster emergency for the COVID-19 virus on DR market participants. Specifically, the Company proposes to allow customers with newly installed interval meters to participate in the Commercial System Relief Program (CSRP) and Distribution Load Relief Program (DLRP) even if their meter communications are not yet operational when participation starts. The Company proposes to discontinue the temporary measures of extending CSRP and DLRP enrollment deadlines to June 1 for a July 1 start date, to discontinue postponing test events until July 1, and to discontinue the temporary measure of allowing customers to change their pledged load relief in July.

The full text of the filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0188SP6)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Proposed DLM Program and Tariff Revisions for the Summer 2021 Capability Period

**I.D. No.** PSC-04-21-00014-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a November 13, 2020 filing by Central Hudson Gas & Electric Corporation (Central Hudson) to effectuate revisions to its Dynamic Load Management (DLM) Programs and tariffs.

**Statutory authority:** Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

**Subject:** Proposed DLM Program and tariff revisions for the summer 2021 capability period.

**Purpose:** More efficient demand response programs to gain operational efficiency and shave peak demand.

**Substance of proposed rule:** The Commission is considering an annual report, filed on November 13, 2020, by Central Hudson Gas & Electric Corporation (Central Hudson or the Company) detailing Dynamic Load Management (DLM) Program offerings, performance, and proposed DLM Program changes for the next Capability Period in compliance with prior Public Service Commission (Commission) Orders.

Central Hudson proposes to extend some of the temporary program changes for the 2021 summer capability period directed by the Commission's May 14, 2020, Order Directing Demand Response (DR) Program Modifications on and Expedited Basis to provide additional flexibility to help ease the extraordinary impacts of the declared State disaster emergency for the COVID-19 virus on DR market participants. Specifically, the Company proposes to allow customers with newly installed interval meters to participate in the Commercial System Relief Program (CSRP) and Distribution Load Relief Program (DLRP) even if their meter communications are not yet operational when participation starts, and to continue to extend enrollment deadlines to June 1 for a July 1 start date. The Company proposes to discontinue the temporary measures of postponing test events until no earlier than July 1, and to discontinue the temporary measure of allowing customers to change their pledged load relief in July.

The full text of the filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0186SP7)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Proposed Tariff Revisions for the DLM Program Summer 2021 Capability Period

**I.D. No.** PSC-04-21-00015-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a November 13, 2020 tariff filing by Rochester Gas and Electric Corporation to effectuate revisions to its Dynamic Load Management Program tariffs.

**Statutory authority:** Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

**Subject:** Proposed tariff revisions for the DLM Program summer 2021 capability period.

**Purpose:** More efficient demand response programs to gain operational efficiency and shave peak demand.

**Substance of proposed rule:** The Commission is considering an annual report, filed on November 13, 2020, by Rochester Gas and Electric Corporation (RG&E or the Company) detailing Dynamic Load Management (DLM) Program offerings, performance, and proposed DLM Program changes for the next Capability Period in compliance with prior Public Service Commission (Commission) Orders.

RG&E proposes to extend some of the temporary program changes for the 2021 summer capability period directed by the Commission's May 14, 2020, Order Directing Demand Response (DR) Program Modifications on and Expedited Basis to provide additional flexibility to help ease the extraordinary impacts of the declared State disaster emergency for the COVID-19 virus on DR market participants. Specifically, the Company proposes to allow customers with newly installed interval meters to participate in the Commercial System Relief Program (CSRP) and Distribution Load Relief Program (DLRP) even if their meter communications are not yet operational when participation starts. The Company proposes to discontinue the temporary measures of extending CSRP and DLRP enrollment deadlines to June 1 for a July 1 start date, discontinue postponing test events until July 1, and discontinue the temporary measure of allowing customers to change their pledged load relief in July.

The full text of the filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page:



www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0190SP7)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Request for a Waiver**

**I.D. No.** PSC-04-21-00016-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a petition of Niagara Mohawk Power Corporation d/b/a National Grid for a waiver of certain requirements of the Test Period Policy Statement in connection with the filing of major rate proceedings.

**Statutory authority:** Public Service Law, sections 5, 65 and 66

**Subject:** Request for a waiver.

**Purpose:** To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering the petition of Niagara Mohawk Power Corporation d/b/a National Grid (the Company) for a waiver of certain provisions of the Commission's Statement of Policy on Test Periods in Major Rate Proceedings (Test Period Policy Statement), issued November 23, 1977.

The Test Period Policy Statement requires that all major rate cases be filed no more than 150 days after the end of the utility's test year. Further, it requires that, when the utility files a request for a major rate change, the utility present testimony and exhibits that establish a verifiable link between the test year and the proposed rate year.

In a petition filed on May 29, 2019, the Company requested a waiver of the policy requirement for its impending electric and gas rate filings, which the Company anticipated would be made no later than August 31, 2020. The Company requests a waiver to allow it to use a 12-month test period ended December 31, 2019. The Company stated that it had originally intended to make the rate filings at a time that would allow for new rates to be effective in April 2021. However, states the Company, it delayed its filing due to the emergence of the COVID-19 pandemic. Subsequently, the Company made the rate filings to which this requested waiver would apply on July 31, 2020 in Cases 20-E-0380 and 20-G-0381.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0250SP1)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Funding and Management of the Clean Energy Fund Portfolio**

**I.D. No.** PSC-04-21-00017-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a petition filed by the New York State Energy Research and Development Authority (NYSERDA) on December 29, 2020, requesting authorization to optimize and continue NYSERDA's Clean Energy Fund portfolio.

**Statutory authority:** Public Service Law, sections 4(1), 5(2), 65 and 66

**Subject:** Funding and management of the the Clean Energy Fund portfolio.

**Purpose:** To review NYSERDA's proposed modifications to the Clean Energy Fund portfolio and determine whether the changes are acceptable.

**Substance of proposed rule:** The New York State Public Service Commission (Commission) is considering a petition, filed by the New York State Energy Research and Development Authority (NYSERDA) on December 29, 2020, requesting authorization to optimize and continue NYSERDA's Clean Energy Fund (CEF) portfolio (the petition).

The petition is accompanied by a companion CEF Portfolio Summary document filed contemporaneously by NYSERDA. The petition raises several matters that the Commission will consider, including whether to: 1) approve the CEF strategy and future plans for the Market Development, NY Green Bank (NYGB), and Innovation & Research portfolios, as NYSERDA makes a timely transition from a progressive build model to a purposefully constructed portfolio approach; 2) re-affirm the total CEF budget (with 20% budget flexibility at the focus area level for Market Development and Innovation & Research) and coinciding updated performance targets and metrics for the entire CEF portfolio; 3) adopt a goal for the CEF (in aggregate) to achieve 40% of the benefits of spending for disadvantaged communities, pursuant to the Climate Leadership and Community Protection Act, enacted in 2019; 4) modify CEF collections by year, but not in aggregate, to address prior and expected changes in timing of expenditures; 5) address projected shortfalls in aggregate CEF Program funding of up to \$125.7 million by authorizing the repurposing of funding first from any future uncommitted System Benefits Charge (SBC)/Renewable Portfolio Standard (RPS) funds which may become available, and second from collections approved in the CEF Order for NYGB's capitalization; 6) authorize for commitment and expenditure from existing uncommitted System Benefits Charge/Energy Efficiency Portfolio Standard (EEPS)/Renewable Portfolio Standard funds the remaining three-fifths of approved NY-Sun expansion funds; 7) approve the refined Market Development and Innovation & Research investment plan approach defined in the petition; 8) affirm refined reporting components for common quarterly reporting as defined in the petition; 9) authorize a formal role for NYSERDA in the Technical Resource Manual Management process, to enable better collaboration with utilities; and, 10) address other modifications as deemed necessary for the effective design, implementation, and oversight of the CEF.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(19-M-0094SP11)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Minor Electric Rate Filing to Increase Annual Electric Revenues

**I.D. No.** PSC-04-21-00018-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a proposal filed by the Village of Fairport to revise P.S.C. No. 1—Electricity, to increase annual revenues by \$535,292 or 2.8% in the first Rate Year and \$ 153,309 or 0.8% in the second Rate Year.

**Statutory authority:** Public Service Law, sections 65 and 66

**Subject:** Minor electric rate filing to increase annual electric revenues.

**Purpose:** To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

**Substance of proposed rule:** The Commission is considering a proposal, filed by the Village of Fairport (Village) on November 18, 2020, to amend its electric tariff, P.S.C. No. 1 – Electricity, to increase its annual electric base revenues by \$400,738 or 2.1% of normalized base revenues.

The Village subsequently filed a supplemental filing for a rate increase on December 21, 2020 to increase its annual electric base revenues by \$535,292 or 2.8% of normalized base revenues in the first year, and a further increase of \$153,309 of base revenues, or 0.8% in the subsequent second year. The Village claims an average residential customer would see an approximate bill impact of 2.8% in the first year and 0.8% in the second year. The proposed tariff amendments for the first year have an effective date of June 1, 2021.

The Village states the need for the increase is driven by increases in operating expenses and necessary capital improvements since rates were last set in 2017. The additional rate increase for the subsequent year proposes to incrementally increase the Company's lineworkers wages to be more competitive to the salaries offered by its neighboring investor owned utilities.

The full text of the proposal and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject or modify, in whole or in part, the action proposed and may also resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0595SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Consideration of National Grid USA's New York Electric and Gas Utilities' Implementation Plan and Audit Recommendations

**I.D. No.** PSC-04-21-00019-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering the Audit Implementation Plan submitted by the National Grid USA's New York electric and gas utilities on December 21, 2020, and whether to order the implementation of audit recommendations.

**Statutory authority:** Public Service Law, section 66(19)

**Subject:** Consideration of National Grid USA's New York electric and gas utilities' Implementation Plan and audit recommendations.

**Purpose:** To ensure that recommendations issued in a comprehensive management audit are appropriately addressed and implemented.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering the Management Audit Implementation Plan filed by National Grid USA's New York electric and gas utilities: KeySpan Gas East Corporation d/b/a National Grid, Niagara Mohawk Power Corporation d/b/a National Grid, and The Brooklyn Union Gas Company d/b/a National Grid NY (collectively, National Grid) on December 21, 2020.

Public Service Law § 66(19)(a) requires that the Commission perform a comprehensive management and operations audit of combination gas and electric corporations, as well as for straight gas corporations having annual gross revenues in excess of two hundred million dollars at least once every five years. The Final Audit Report was issued on November 19, 2020. Public Service Law § 66(19)(b) requires that each utility subject to an audit file an implementation plan with the Commission within thirty days after issuance of a final audit report detailing the utility's plan to implement the recommendations made in the audit. National Grid's Implementation Plan addresses the 24 actionable recommendations contained in the Final Audit Report. Public Service Law § 66(19)(b) provides that the Commission may require that the implementation plan be amended in a specific manner, and that once approved by the Commission, the implementation plan is enforceable.

The full text of National Grid's Implementation Plan and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-M-0195SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### NFG's Implementation Plan and Audit Recommendations

**I.D. No.** PSC-04-21-00020-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering the Management Audit Implementation Plan submitted by National Fuel Gas Distribution Corporation and whether to order the implementation of audit recommendations.

**Statutory authority:** Public Service Law, section 66(19)

**Subject:** NFG's Implementation Plan and audit recommendations.

**Purpose:** To consider to implement the management audit recommendations.

**Substance of proposed rule:** The Public Service Commission is considering the Management and Operations Audit Implementation Plan (Implementation Plan) filed by National Fuel Gas Distribution Corporation (National Fuel or Company) on January 6, 2021.

National Fuel's Implementation Plan addresses the 61 actionable recommendations contained in the Final Audit Report prepared by NorthStar Consulting Group, Inc. as a result of its management and operations audit of the Company.

The full text of the Implementation Plan and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: [john.pitucci@dps.ny.gov](mailto:john.pitucci@dps.ny.gov)



**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-G-0394SP1)

## Workers' Compensation Board

### EMERGENCY RULE MAKING

#### Allowing Telemedicine in Some Circumstances, Supersede Previous Emergency Adoption

**I.D. No.** WCB-04-21-00021-E

**Filing No.** 16

**Filing Date:** 2021-01-12

**Effective Date:** 2021-01-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

**Action taken:** Amendment of sections 325-1.8, 329-1.3, 329-4.2, 333.2, 348.2 of Title 12 NYCRR.

**Statutory authority:** Workers' Compensation Law, sections 117 and 142

**Finding of necessity for emergency rule:** Preservation of public health, public safety and general welfare.

**Specific reasons underlying the finding of necessity:** This amendment is adopted as an emergency measure because the Board wants to avoid health and safety risks that can be avoided through social distancing due to the outbreak of COVID-19, by allowing telemedicine in some circumstances, and to supersede the previous emergency adoption addressing this topic.

**Subject:** Allowing telemedicine in some circumstances, supersede previous emergency adoption.

**Purpose:** To allow telemedicine in some circumstances for social distancing purposes due to outbreak of COVID-19.

**Text of emergency rule:** Section 325-1.8 of Title 12 NYCRR is hereby amended to read as follows:

325-1.8 Emergency medical aid and telemedicine.

(a) In the event of a serious accident requiring immediate emergency medical aid, an ambulance or any physician may be called to give first aid treatment.

(b) Telemedicine, using two-way audio and visual electronic communication, or treatment via telephone, may be used by authorized providers where medically appropriate for social distancing purposes due to the outbreak of COVID-19 during the state of emergency in accordance with the Department of Health COVID-19 Medicaid Guidance and Guidance issued by the Centers for Medicare and Medicaid Services, or irrespective of purely social distancing considerations, in the clinical judgment of the authorized provider, the potential risk of COVID-19 infection to an individual patient outweighs any real or perceived incremental benefit derived from an in-person versus remote or virtual appointment. The authorized provider shall indicate on their report that such assessment was done using telemedicine by use of modifier 95 and indicating a place of service as 11, or telephonically by indicating place of service as 02. The provider shall also confirm the employee's identity as well as provide basic information about the services the employee is receiving by telephone or telemedicine.

New subdivisions (c) and (d) of section 329-1.3 of Title 12 NYCRR is hereby added to read as follows:

(c) When medically appropriate, authorized providers who utilize the Official New York State Workers' Compensation Fee Schedule may, when telemedicine is used in accordance with section 325-1.8 of this Title and any applicable Medical Treatment Guideline, bill using the applicable Evaluation and Management codes (99212-99214) using modifier 95 and indicating 11 as the place of service. Modifiers 1B and 1D are available when services are rendered by telemedicine using two-way audio and vi-

sual communication. When services are rendered by telephone only in accordance with section 325-1.8 of this Title, the authorized provider shall indicate 02 as the place of service. Modifiers 1B and 1D are not available when services are rendered by telephone with no visual component.

(d) Providers with the following rating codes may bill the following psychotherapy codes in conjunction with Evaluation and Management codes:

(i) New patient Evaluation and Management: 99201-99204;

(ii) Psychotherapy combination codes and crisis codes: 90832-90834, 90836-90840, 90853;

A new subdivision (d) of section 329-4.2 of Title 12 NYCRR is hereby added to read as follows:

(d) When medically appropriate, authorized physical therapists and occupational therapists shall use Common Procedural Technology (CPT) code 99212 using modifier 95 and indicating 11 as the place of service when treatment is rendered by telemedicine using two-way audio and visual communication, and indicating 02 as the place of service when treatment is rendered by telephone only. Treatment in accordance with section 325-1.8 of this Title and using these codes shall be limited to one unit per patient per day, up to two treatments per week during the thirty days following injury, and up to one treatment per week thereafter.

New subdivisions (c) and (d) of section 333.2 of Title 12 NYCRR is hereby added to read as follows:

(c) When medically appropriate, authorized providers, including psychologists and licensed clinical social workers, shall use a Common Procedural Technology (CPT) therapy code (90832, 90834, or 90837) for services delivered by telemedicine in accordance with section 325-1.8 of this Title using modifier 95 and indicating 11 as the place of service for therapy by telemedicine using two-way audio and visual communication. Modifiers 1B and 1D are available when services are rendered by telemedicine using two-way audio and visual communication. When services are rendered by telephone only in accordance with section 325-1.8 of this Title, the authorized provider shall indicate 02 as the place of service. Modifiers 1B and 1D are not available when services are rendered by telephone with no visual component. Group therapy: 90853. Group therapy is limited to a maximum of 20 participants and does not require that every participant in the group therapy session be a workers' compensation claimant.

A new subdivision (c) of section 348.2 of Title 12 NYCRR is hereby amended to read as follows:

(c) When medically appropriate, authorized chiropractors shall use Common Procedural Technology (CPT) code 99212 using modifier 95 and indicating 11 as the place of service when treatment is rendered by telemedicine using two-way audio and visual communication, and indicating 02 as the place of service when treatment is rendered by telephone only. Treatment in accordance with section 325-1.8 of this Title and using these codes shall be limited to one unit per patient per day, up to two treatments per week during the thirty days following injury, and up to one treatment per week thereafter.

**This notice is intended** to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires April 11, 2021.

**Text of rule and any required statements and analyses may be obtained from:** Heather MacMaster, New York State Workers' Compensation Board, Office of General Counsel, 328 State Street, Schenectady, NY 12305, (518) 486-9564, email: regulations@wcb.ny.gov

#### Regulatory Impact Statement

1. Statutory authority: WCL § 117(1) authorizes the Chair of the Workers' Compensation Board (Board) to adopt reasonable rules consistent with, and supplemental to, the provisions of the WCL.

2. Legislative objectives: The emergency adoption allows telemedicine visits in some circumstances due to the outbreak of COVID-19.

3. Needs and benefits: For social distancing purposes to avoid furthering the outbreak of COVID-19, the emergency adoption allows telemedicine visits in some circumstances to avoid in person visits to authorized providers when medically appropriate, consistent with guidance issued by the Center for Medicaid and Medicare Services. This regulation will permit physicians, nurse practitioners, physician assistants, psychologists, licensed clinical social workers, chiropractors, physical therapists and occupational therapists to treat using telehealth due to COVID-19.

4. Costs: The emergency adoption will have no impact on costs.

5. Local government mandates: The proposed amendments do not impose any program, service, duty, or responsibility upon any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: The emergency adoption requires authorized providers to indicate in their report that the services rendered were through telemedicine due to the outbreak of COVID-19.

7. Duplication: The emergency adoption does not duplicate other regulatory initiatives.

8. Alternatives: An alternative would be to not file an emergency adop-



tion addressing telemedicine. However, this poses a health risk to both the authorized providers and the claimants being treated, and social distancing, where medically appropriate, is a better alternative due to the outbreak of COVID-19.

9. Federal standards. There are no applicable Federal Standards.

10. Compliance schedule: The emergency adoption takes effect immediately upon filing but does not require telemedicine – it offers it as a tool to assist with social distancing in some circumstances. Any provider rendering services using telemedicine must comply with the emergency adoption, including the reporting requirements.

***Regulatory Flexibility Analysis***

A Regulatory Flexibility Analysis is not required because the emergency adoption will not have any adverse economic impact or impose any new reporting, recordkeeping or other compliance requirements on small businesses or local governments. The emergency adoption provides for telemedicine visits in some circumstances due to the outbreak of COVID-19.

***Rural Area Flexibility Analysis***

A Rural Area Impact Statement is not required because the emergency adoption will not have any impact rural areas. The emergency adoption allows telemedicine visits in some circumstances due to the outbreak of COVID-19.

***Job Impact Statement***

A Job Impact Statement is not required because the emergency adoption will not have any impact on jobs or employment opportunities. The emergency adoption allows telemedicine visits in some circumstances due to the outbreak of COVID-19.

## HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
ENV-03-21-00010-P .....	Application of Site-Specific Criteria to Class I and Class SD Waters	<p>Electronic webinar—March 23, 2021, 2:00 p.m.</p> <p>Instructions on how to “join” the hearing webinar and provide an oral statement will be posted on the Department’s events calendar and proposed regulations webpage by Wednesday, January 20, 2021. Department’s events calendar may be accessed at: <a href="https://www.dec.ny.gov/calendar/">https://www.dec.ny.gov/calendar/</a>. The proposed regulations webpage for 6 NYCRR § 703.4 may be accessed at: <a href="https://www.dec.ny.gov/regulations/121933.html">https://www.dec.ny.gov/regulations/121933.html</a></p> <p>Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the 703.4 public comment hearing.</p> <p>The Department will provide interpreter services for hearing impaired persons at no charge upon written request submitted no later than March 9, 2021. The written request must be addressed to ALJ McBride, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ McBride at <a href="mailto:ohms@dec.ny.gov">ohms@dec.ny.gov</a>.</p>
ENV-04-21-00007-P .....	Chlorpyrifos Prohibition	<p>Electronic webinar—March 30, 2021, 6:00 p.m.</p> <p>Instructions on how to “join” the hearing webinar and how to provide an oral statement may be accessed at the proposed regulations webpage for Part 326, available at: <a href="https://www.dec.ny.gov/chemical/121988.html">https://www.dec.ny.gov/chemical/121988.html</a>. Instructions will also be available on the Department’s events calendar at: <a href="https://www.dec.ny.gov/calendar/">https://www.dec.ny.gov/calendar/</a></p> <p>Persons who wish to receive the instructions by mail or telephone may call DEC at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 326 public comment hearing.</p> <p>Interpreter services for hearing impaired persons or persons with limited English proficiency will be provided at no charge upon written request submitted no later than March 16, 2021. The written request must be addressed to ALJ Sherman, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Sherman at <a href="mailto:ohms@dec.ny.gov">ohms@dec.ny.gov</a>.</p>
ENV-04-21-00008-P .....	Food Donation and Food Scraps Recycling	<p>Electronic webinar—April 7, 2021, 1:00 p.m. and 6:00 p.m.</p> <p>Instructions on how to “join” the hearing webinar and how to provide an oral statement may be accessed at the proposed regulations webpage for the Department, available at: <a href="https://www.dec.ny.gov/regulations/propregulations.html#public">https://www.dec.ny.gov/regulations/propregulations.html#public</a>. Instructions will also be available on the Department’s events</p>

calendar at: <https://www.dec.ny.gov/calendar/>  
Persons who wish to receive the instructions by mail or telephone may call DEC at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 350 public comment hearing. Interpreter services for hearing impaired persons or persons with limited English proficiency will be provided at no charge upon written request submitted no later than March 24, 2021. The written request must be addressed to ALJ Caruso, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Caruso at [ohms@dec.ny.gov](mailto:ohms@dec.ny.gov).

### Public Service Commission

PSC-45-20-00004-P ..... Major Gas Rate Filing

Department of Public Service, 19 Fl. Board Rm., 3 Empire State Plaza, Albany, NY—February 16, 2021, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 20-E-0429

PSC-45-20-00005-P ..... Major Electric Rate Filing

Department of Public Service, 19 Fl. Board Rm., 3 Empire State Plaza, Albany, NY—February 16, 2021, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 20-E-0428

PSC-02-21-00006-P ..... Disposition of a Sales Tax Refund Received by New York American Water, Inc.

The Public Hearing will be held online and by telephone. Details for access will be published via Notice at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 20-W-0654—April 19, 2021, 10:00 a.m. (Evidentiary Hearing)\*

\*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 20-W-0654.



## ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(\*).

For additional information concerning any of the proposals

listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>00001</b>	<b>P</b>

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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### AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-12-20-00006-P	04/29/21	Calibrating and testing of certain weights and measures standards and devices.	To allow the Dept. to increase the fees it charges in calibrating and testing certain weights & measures standards and devices.
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### ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-28-20-00013-P	07/15/21	Patient Rights	To set-forth the minimum regulatory requirements for patient rights in OASAS certified, funded or otherwise authorized programs
ASA-28-20-00014-P	07/15/21	Specialized Services	To replace the term "chemical dependence" with "addiction"
ASA-28-20-00016-P	07/15/21	Designated Services	To set-forth the minimum regulatory requirements for certified programs to seek an Office designation

### CHILDREN AND FAMILY SERVICES, OFFICE OF

*CFS-46-19-00002-RP	04/29/21	Behavioral health services, elimination of room isolation and authority to operate de-escalation rooms	To implement standards for behavioral health services and the operation of de-escalation rooms and to eliminate room isolation
CFS-04-20-00009-P	04/29/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.
CFS-46-20-00001-P	11/18/21	Amendment to community guardian program regarding who can complete the annual evaluation or examination	Amendment to community guardian program regarding who can complete the annual evaluation or examination
CFS-49-20-00006-EP	12/09/21	Maintenance reimbursement for residential CSE programs when a student has been absent from the program for more than 15 days.	Remove an existing regulatory barrier that precludes maintenance reimbursement for residential CSE programs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-51-20-00003-P	12/23/21	Outlining the procedures for requesting and conducting criminal history disqualification reviews	Outlining the procedures for requesting and conducting criminal history disqualification reviews
CFS-03-21-00004-P	01/20/22	Implement rules re: release of original birth certificate or related identifying info. to adult adopted & other specific persons	Implement rules re: release of original birth certificate or related identifying info. to adult adopted & other specific persons
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
*CVS-03-20-00003-P	04/29/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-03-20-00004-P	04/29/21	Jurisdictional Classification	To classify a position in the exempt class
*CVS-03-20-00005-P	04/29/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
*CVS-03-20-00006-P	04/29/21	Jurisdictional Classification	To classify a position in the non-competitive class
*CVS-03-20-00007-P	04/29/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-06-20-00001-P	04/29/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-20-00002-P	04/29/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-06-20-00003-P	04/29/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00004-P	04/29/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00005-P	04/29/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-06-20-00006-P	04/29/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-20-00007-P	04/29/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class
CVS-06-20-00008-P	04/29/21	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
CVS-13-20-00002-P	04/29/21	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2020
CVS-13-20-00009-P	04/29/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00010-P	04/29/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00011-P	04/29/21	Jurisdictional Classification	To delete positions from the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-13-20-00012-P	04/29/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00013-P	04/29/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00014-P	04/29/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00015-P	04/29/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-13-20-00016-P	04/29/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00017-P	04/29/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00018-P	04/29/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-20-00019-P	04/29/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00020-P	04/29/21	Jurisdictional Classification	To delete positions in the non-competitive class
CVS-13-20-00021-P	04/29/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00022-P	04/29/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00023-P	04/29/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00024-P	04/29/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes.
CVS-13-20-00025-P	04/29/21	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-18-20-00004-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00005-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00006-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00007-P	05/06/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-18-20-00008-P	05/06/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-18-20-00009-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00010-P	05/06/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-20-00002-P	06/17/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-24-20-00003-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class



**Action Pending Index****NYS Register/January 27, 2021**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-24-20-00004-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00005-P	06/17/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-20-00006-P	06/17/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-24-20-00007-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00008-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00009-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00010-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-20-00004-P	07/15/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-28-20-00005-P	07/15/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00006-P	07/15/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00007-P	07/15/21	Jurisdictional Classification	To delete a position from the exempt class
CVS-28-20-00008-P	07/15/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00009-P	07/15/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-20-00010-P	07/15/21	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-28-20-00011-P	07/15/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00012-P	07/15/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-20-00003-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00004-P	08/12/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes
CVS-32-20-00005-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00006-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-41-20-00002-P	10/14/21	Jurisdictional Classification	To delete positions from and to classify a subheading and positions in the exempt class
CVS-41-20-00003-P	10/14/21	Jurisdictional Classification	To classify a position in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-41-20-00004-P	10/14/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-20-00005-P	10/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-20-00006-P	10/14/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-41-20-00007-P	10/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-49-20-00002-P	12/09/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-20-00003-P	12/09/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class.
CVS-49-20-00004-P	12/09/21	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-20-00005-P	12/09/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-02-21-00001-P	01/13/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-02-21-00002-P	01/13/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-02-21-00003-P	01/13/22	Jurisdictional Classification	To classify a position in the exempt class
<b>CORRECTION, STATE COMMISSION OF</b>			
*CMC-35-19-00002-P	04/01/21	Disciplinary and administrative segregation of inmates in special housing.	Prohibit the segregation of vulnerable inmates, and to standardize allowable uses and duration of special housing segregation.
CMC-04-21-00002-P	01/27/22	Ratio of toilet, sink, shower per youth in Specialized Secured Detention Facility for Older Youth	Amend the ratio of toilet, sink, and shower to coincide with Office of Children and Family Services regulations
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-34-20-00001-P	08/26/21	Family Reunion Program	To clarify for logic and consistency, and make additional changes to the current Family Reunion Program
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
*CJS-30-19-00010-ERP	04/29/21	Use of Force	Set forth use of force reporting and recordkeeping procedures
CJS-19-20-00010-P	05/13/21	Part 364 - Conditional release conditions.	Conform to the recent changes made by the Legislature by removing the term "gravity knife".
CJS-44-20-00002-P	11/04/21	Intake for Article 7 (PINS)	Update existing Rule to reflect services which will be performed by Probation departments

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
CJS-03-21-00005-P	01/20/22	Familial Search Policy and Unidentified Human Remains	Add unidentified human remains to familial searching for identification where the remains are those of a victim of a crime
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-48-20-00001-P	12/02/21	Employee Training Incentive Program	To update the administrative processes for the ETIP program
<b>EDUCATION DEPARTMENT</b>			
*EDU-17-19-00008-P	04/01/21	To require study in language acquisition and literacy development of English language learners in certain teacher preparation	To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population
*EDU-27-19-00010-P	04/01/21	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
EDU-11-20-00013-RP	04/01/21	Special Education Impartial Hearing Officers and the Special Education Due Process System Procedures	To address volume of special education due process complaints in the New York City due process system
EDU-16-20-00002-ERP	04/22/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-20-20-00008-ERP	05/20/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-30-20-00005-RP	07/29/21	Creating a Safety Net for the School Building Leader Assessment	To create a safety net for the School Building Leader Assessment
EDU-48-20-00003-P	12/02/21	Regional Bibliographic Data Bases and Interlibrary Resources Sharing Program	Update and clarify certain terminology related to the use of technology in libraries and to reflect new technologies.
EDU-52-20-00018-EP	12/30/21	Addressing the COVID-19 crisis	To address issues resulting from the COVID-19 crisis and to provide regulatory flexibility due to the COVID-19 crisis
EDU-52-20-00019-P	12/30/21	Requirements for Awarding the NYS Seal of Biliteracy	To update the requirements for awarding the NYS Seal of Biliteracy
EDU-52-20-00020-P	12/30/21	Content Core Requirement in Computer Science Teacher Preparation Programs	To make the content core requirement for the Computer Science certificate aligned with the NYS Computer Science Standards
EDU-52-20-00021-P	12/30/21	Conferral of the Degree of Doctor of Medicine (M.D.) by the Board of Regents	To conform the law with the statutory requirements for issuance of an M.D. to foreign-educated applicants
EDU-52-20-00022-P	12/30/21	Implementation of the Crown Act	To implement Chapter 95 of the Laws of 2019, known as the Crown Act
EDU-52-20-00023-EP	12/30/21	Instruction to prevent child sexual exploitation and child sexual abuse in grades K-8	Implementation of chapter 187 of the Laws of 2019



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-52-20-00024-P	12/30/21	Uniform Violent or Disruptive Incident Reporting (VADIR) System, Also Known as the School Safety and Educational Climate Report	Update the definitions of violent and disruptive incidents for purposes of the VADIR and update the School Violence Index
EDU-01-21-00002-EP	01/06/22	Addressing the COVID-19 crisis and planning for the reopening of schools	To provide regulatory flexibility due to the COVID-19 crisis and to plan for the reopening of schools
EDU-04-21-00009-EP	01/27/22	Designation of the Executive Deputy Commissioner as the Deputy Commissioner of Education as specified in Education Law § 101	To conform the Regents Rules to changes in the internal organization of the State Education Department
EDU-04-21-00010-P	01/27/22	The licensure of registered pharmacy technicians	To implement the provisions of Chapter 414 of the Laws of 2019 relating to the licensure of registered pharmacy technicians
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
*ENV-36-19-00003-P	04/29/21	Stationary Combustion Installations	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.
*ENV-37-19-00003-RP	04/01/21	Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations	To improve the review of projects by removing some project types that are known not to cause harm from the review stream
ENV-06-20-00020-P	04/16/21	New Source Review requirements for proposed new major facilities and major modifications to existing facilities.	To conform to federal NSR rule requirements and related court rulings, correct typographical errors, and clarify rule language.
ENV-17-20-00005-P	04/29/21	The above referenced Parts make up the Department's air pollution control permitting program.	The purpose of this rulemaking is to improve the clarity and consistency of the Department's air pollution permitting program
ENV-33-20-00005-P	08/19/21	Repeal of Section 485.1	To remove outdated and redundant references in the Department's regulations
ENV-36-20-00002-P	09/09/21	Deer Hunting Seasons	Establish a bow and muzzleloader deer hunting season in the Southern Zone during the Christmas and New Year holiday week
ENV-42-20-00003-EP	10/21/21	Sanitary Condition of Shellfish Lands	To reclassify underwater shellfish lands to protect public health
ENV-47-20-00004-P	11/25/21	Inland trout stream fishing regulations	To revise and standardize inland trout stream fishing regulations
ENV-47-20-00005-P	11/25/21	Sportfishing (freshwater) and associated activities	To revise and simplify sportfishing regulations and associated activities
ENV-01-21-00003-P	01/06/22	Regulations governing recreational fishing for striped bass	To require circle hooks when fishing recreationally for striped bass using bait
ENV-03-21-00010-P	03/23/22	Application of Site-Specific Criteria to Class I and Class SD Waters	Add site-specific criteria to Class I and SD waters to provide additional water quality protection of the existing best uses
ENV-04-21-00007-P	03/30/22	Chlorpyrifos prohibition	Prohibit distribution, sale, purchase, possession, or use of pesticides that contain the active ingredient chlorpyrifos

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-04-21-00008-P	04/07/22	Food Donation and Food Scraps Recycling	Required by Title 22 of Article 27, the rule increases food donation and the recycling of food scraps through composting
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
*DFS-43-19-00017-P	04/01/21	Independent Dispute Resolution for Emergency Services and Surpsise Bills	To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided
DFS-36-20-00007-P	09/09/21	Superintendent's Regulations: Information Subject to Confidential Treatment	Provide rules concerning publication or disclosure of information subject to confidential treatment
DFS-45-20-00007-P	11/10/21	Office of Pharmacy Benefits	To establish the Office of Pharmacy Benefits and rules for the Drug Accountability Board
DFS-49-20-00011-P	12/09/21	Credit for Reinsurance	To conform to covered agreements entered into between the US and EU and the US and UK, and implement NAIC models.
DFS-52-20-00001-P	12/30/21	Principle-Based Reserving	To prescribe minimum principle-based valuation standards
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-34-20-00009-P	08/26/21	Qualification time in harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-40-20-00001-P	10/07/21	To expressly permit veterinary technicians to practice in horse racing	To preserve the safety and integrity of pari-mutuel racing while generating reasonable revenue for the support of government
SGC-44-20-00012-P	11/04/21	Allowing licensed lottery courier services to purchase and deliver lottery tickets to customers	To facilitate the sale of lottery tickets to generate additional revenue for education
SGC-50-20-00006-P	12/16/21	Participation in the management and operation of charitable games of chance	To maintain integrity and accountability in the management and operation of games of chance
SGC-50-20-00007-P	12/16/21	Contactless payment methods for chances in charitable gaming	To promote public health and support of organizations authorized to operate games of chance
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-36-19-00006-P	04/29/21	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.
*HLT-40-19-00004-P	04/29/21	Drug Take Back	To implement the State's drug take back program to provide for the safe disposal of drugs
*HLT-46-19-00003-P	04/29/21	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
*HLT-47-19-00008-P	04/29/21	Hospital Medical Staff - Limited Permit Holders	To repeal extra years of training required for limited permit holders to work in New York State hospitals.
*HLT-51-19-00001-P	04/29/21	Women, Infants and Children (WIC) Program	To support implementation of eWIC; clarify rules for violations, penalties & hearings & conform vendor authorization criteria.
HLT-04-20-00003-P	04/29/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
HLT-04-20-00011-P	04/29/21	Nursing Home Case Mix Rationalization	To authorize the Department of Health to change the case mix acuity process for all nursing homes.
HLT-11-20-00003-P	04/29/21	Adult Day Health Care (ADHC)	To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program
HLT-27-20-00006-P	07/08/21	Medicaid Managed Care State Fair Hearings and External Appeals Processes and Standards	To address & clarify rules of procedure & presentation of evidence for Medicaid managed care fair hearings & external appeals
HLT-28-20-00019-RP	07/15/21	Personal Care Services (PCS) and Consumer Directed Personal Assistance Program (CDPAP)	To implement a revised assessment process and eligibility criteria for PCS and CDPAP
HLT-31-20-00012-EP	exempt	Hospital Non-comparable Ambulance Acute Rate Add-on	Prevents duplicate claiming by Article 28 hospitals for the ambulance add-on regarding participation in the program
HLT-38-20-00006-P	09/23/21	Medicaid Transportation Program	Medicaid payment standards for emergency ambulance providers participating in an Emergency Triage, Treat & Transport (ET3) model
HLT-38-20-00008-EP	09/23/21	Revise Requirements for Collection of Blood Components	To facilitate the availability of human blood components while maintaining safety
HLT-39-20-00003-EP	09/30/21	Reduce Hospital Capital Rate Add-on and Reduce Hospital Capital Reconciliation Payment	To include a 5 percent reduction to the budgeted and actual capital add-on in Article 28 hospital inpatient reimbursement rates
HLT-40-20-00002-EP	10/07/21	Hospital Indigent Care Pool Payment Methodology	To develop an indigent care distribution methodology for calendar years through 2022
HLT-45-20-00002-P	11/10/21	Cannabinoid Hemp	To create a licensing framework for cannabinoid hemp processors and cannabinoid hemp retailers



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</b>			
*HCR-21-19-00019-P	04/01/21	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of flow-income housing tax credits.
<b>HOUSING FINANCE AGENCY</b>			
*HFA-21-19-00020-P	04/01/21	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
<b>JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE</b>			
JPE-28-20-00031-RP	07/15/21	Source of funding reporting	Clarifying amendments to Source of Funding reporting
JPE-28-20-00032-RP	07/15/21	Amendments to the lobbying regulations	To clarify the lobbying regulations that implement the provisions of the Lobbying Act
<b>LABOR, DEPARTMENT OF</b>			
*LAB-46-19-00004-P	04/01/21	NY State Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards
LAB-49-20-00012-P	12/09/21	Sick Leave Requirements	To provide definitions and standards for the sick leave requirements contained in Section 196-b of the Labor Law
<b>LAKE GEORGE PARK COMMISSION</b>			
LGP-29-20-00006-P	09/22/21	Amendment of Stormwater Regulations within the Lake George Park	To more adequately control and minimize the pollutants found in stormwater runoff from going into Lake George
LGP-43-20-00005-P	01/12/22	Stream corridor protection regulations for the Lake George Park	To establish permit requirements and standards for the protection of stream corridors in the Lake George Park
<b>LAW, DEPARTMENT OF</b>			
LAW-18-20-00002-P	05/06/21	Designation of a Privacy Officer	Removal of a named Privacy Officer., along with their contact information
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
<b>LONG ISLAND RAILROAD COMPANY</b>			
LIR-39-20-00005-ERP	..... 09/30/21	Requiring wearing masks over the nose and mouth when using terminals, stations, and trains operated by Long Island Rail Road	To safeguard the public health and safety on terminals, stations and trains operated by Long Island Rail Road
<b>MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY</b>			
MBA-39-20-00007-EP	..... 09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
<b>MENTAL HEALTH, OFFICE OF</b>			
OMH-42-20-00011-EP	..... 10/21/21	Comprehensive Psychiatric Emergency Programs	To provide clarify and provide uniformity relating to CPEPs and to implement Chapter 58 of the Laws of 2020
<b>METRO-NORTH COMMUTER RAILROAD</b>			
MCR-39-20-00004-EP	..... 09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations, and trains operated by Metro-North Railroad	To safeguard the public health and safety by amending the rules to require use of masks when using Metro-North facilities
<b>METROPOLITAN TRANSPORTATION AGENCY</b>			
MTA-39-20-00009-EP	..... 09/30/21	Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by MTA Bus Company	To safeguard the public health and safety by amending rules to require use of masks when using MTA Bus facilities and conveyance

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<b>NEW YORK CITY TRANSIT AUTHORITY</b>			
NTA-39-20-00006-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by NYC Transit Authority	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
<b>NIAGARA FALLS WATER BOARD</b>			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NFW-03-21-00003-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
<b>NIAGARA FRONTIER TRANSPORTATION AUTHORITY</b>			
NFT-39-20-00023-P	09/30/21	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc	To amend procurement guidelines to reflect changes in law and clarifying language
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
<b>PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF</b>			
PKR-04-21-00005-P	01/27/22	Fees and charges for the use of State parks, parkways, historic sites and recreational facilities	To repeal outdated fees and charges that are not required to be posted in regulation
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
PDD-37-20-00004-ERP	09/16/21	Day Habilitation Duration	to help providers maintain capacity to operate during the public health emergency
PDD-02-21-00005-EP	01/13/22	Medical Consent	To assist providers in administering the COVID-19 vaccine
PDD-04-21-00001-P	01/27/22	Annual Prevocational Assessment	To allow such assessments to be conducted at a location specified by OPWDD
PDD-04-21-00006-P	01/27/22	Medication regimen review	Make technical corrections to align with current regulation allowing for an annual medication regimen review or more frequently



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-41-20-00009-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDPC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
*PSC-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*PSC-19-17-00004-P	..... exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2016.
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement.
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-44-18-00016-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-47-18-00008-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
*PSC-12-19-00004-P	..... exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs.	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities.
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation.	To determine if the proposed merger is in the public interest.
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-20-19-00015-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 105.8 MW electric generating facility	Consideration of a lightened regulatory regime for an approximately 105.8 MW electric generating facility
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00015-P	..... exempt	Proposed major rate increase in KEDNY's gas delivery revenues by \$236.8 million (13.6% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00016-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues of approximately \$49.4 million (or 4.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
*PSC-44-19-00003-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00005-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00006-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00007-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-44-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
*PSC-46-19-00010-P	..... exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
*PSC-50-19-00004-P	..... exempt	Petition to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
*PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
*PSC-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
PSC-04-20-00014-P	..... exempt	Transfer of the Indian Point site, nuclear waste, and decommissioning and site restoration funds from Entergy to Holtec.	To protect the public interest.
PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
PSC-10-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Family Energy, Inc. should be granted a waiver to offer two "green gas" products to mass market customers.
PSC-11-20-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-20-00008-P	..... exempt	Revisions to the proration tariff language.	To consider revisions to the proration tariff language under Leaf 18.1, 18 61 to 64 and Leaf 69.
PSC-11-20-00011-P	..... exempt	Application of the Public Service Law to owners of a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To determine whether to apply a lightened regulatory regime to the owners of a proposed 345 kV transmission line.
PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation.	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.
PSC-12-20-00010-P	..... exempt	Direct Energy, LLC's Green Gas Products.	To consider whether Direct Energy, LLC should be allowed to offer two Green Gas Products to mass market customers.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators.
PSC-15-20-00013-P	..... exempt	Ownership of New York American Water Company, Inc.	To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.
PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund.	To determine how much of a state sales tax refund should be retained by Central Hudson.
PSC-17-20-00008-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Alpha Gas & Electric, LLC should be permitted to offer its Green Gas Program to mass market customers.
PSC-18-20-00012-P	..... exempt	The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.	To revise the price to be paid by the Company under Service Classification No. 10. for qualifying purchases of unforced capacity
PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.
PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.
PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To provide cost recovery for new DLM programs and prevent double compensation to participating customers.
PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity.
PSC-21-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Green Gas Products to mass market customers.
PSC-21-20-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-21-20-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IGS Energy should be allowed to offer a Carbon-Neutral Gas Product and a Home Warranty Service Product.
PSC-23-20-00006-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IDT Energy, Inc. and Residents Energy, LLC should be permitted to offer Green Gas Products in New York.
PSC-23-20-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether American Power & Gas LLC should be permitted to offer its Green Gas Products to mass market customers.
PSC-23-20-00008-P	..... exempt	Disposition of sales tax refund and other related matters.	To consider the appropriate allocation of the sales tax refund proceeds while balancing ratepayer and shareholder interests.
PSC-23-20-00010-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether AmeriChoice Energy should be permitted to offer its Green Gas Products to mass market customers.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-24-20-00016-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the NRG Retail Companies should be permitted to offer Green Gas Products in New York.
PSC-24-20-00018-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Atlantic Energy, LLC should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-24-20-00020-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether CenStar Energy, Major Energy Services, and Spark Energy Gas should be permitted to offer Green Gas Products.
PSC-25-20-00009-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements.	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.
PSC-25-20-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-20-00012-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-25-20-00014-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether South Bay Energy Corp. should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-25-20-00015-P	..... exempt	Staff whitepaper on a Data Access Framework.	To standardize the necessary privacy and cybersecurity requirements for access to energy-related data.
PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program.	To address the economic impacts of the COVID-19 pandemic.
PSC-25-20-00017-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Marathon Energy should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-25-20-00018-P	..... exempt	Staff's whitepaper proposing an IEDR.	To collect and integrate a large and diverse set of energy-related information and data on one statewide platform.
PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent.	To encourage consumer protections and safe and adequate service.
PSC-28-20-00020-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00027-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioners should be permitted to offer Green Gas Products to mass market customers in New York.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
PSC-29-20-00008-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
PSC-29-20-00011-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of Opportunities for Broome, Inc for waiver of Opinion No. 76-17 and 16 NYCRR Part 96.
PSC-30-20-00006-P	..... exempt	Petition to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-20-00004-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-20-00008-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Kiwi Guard product to mass market customers in New York.
PSC-31-20-00010-P	..... exempt	Submetering of electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-32-20-00014-P	..... exempt	The term for retention of a monetary crediting methodology.	To provide sufficient revenues to support financing, realize promised benefits from the project, and repay necessary re-work.
PSC-34-20-00004-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers.	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory.
PSC-34-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-35-20-00015-P	..... exempt	Request for waiver of 16 NYCRR 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-35-20-00016-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-20-00017-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer green gas products to mass market customers in New York.
PSC-36-20-00006-P	..... exempt	A debt financing arrangement with respect to a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-37-20-00006-P	..... exempt	Con Edison's petition for a proposed Non-Pipeline Solutions portfolio and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-38-20-00003-P	..... exempt	Minor Rate Filing	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
PSC-39-20-00014-P	..... exempt	Tariff filing.	To determine if New York State Electric & Gas Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00015-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-39-20-00016-P	..... exempt	Tariff filing.	To determine if Central Hudson Gas & Electric Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00017-P	..... exempt	Tariff filing.	To determine if National Grid's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00018-P	..... exempt	Tariff filing.	To determine if Rochester Gas and Electric Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00019-P	..... exempt	Tariff filing.	To determine if Orange and Rockland Utilities, Inc.'s tariff filing is consistent with the law and in the public interest.
PSC-39-20-00020-P	..... exempt	Tariff filing.	To determine if Consolidated Edison Company of New York's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00021-P	..... exempt	Authority to issue to long-term debt.	To consider Corning's request for authority to issue long-term debt.
PSC-39-20-00022-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-40-20-00003-P	..... exempt	NYSEG's petition for a proposed Non-Pipeline Alternatives portfolio of projects and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-40-20-00004-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-20-00005-P	..... exempt	Electric Generation Facility Cessation Mitigation Program Funding	To develop a funding mechanism for the Electric Generation Facility Cessation Mitigation Program.
PSC-40-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-40-20-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.
PSC-40-20-00008-P	..... exempt	A benefit for electric utility customers in communities that host a major renewable energy facility.	To consider a just and reasonable benefit for electric utility customers in renewable host communities.
PSC-40-20-00009-P	..... exempt	Amendments clarifying the sharing of revenue from the Energy Storage Program.	To ensure that Con Edison's tariff is clear regarding sharing of revenue when annual wholesale revenues exceed contract costs.
PSC-40-20-00010-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.
PSC-41-20-00010-P	..... exempt	Disposition of a \$50 million municipal tax refund	To consider a disposition of a municipal tax refund for customer and company benefit
PSC-41-20-00011-P	..... exempt	Major gas rate filing.	To consider a proposed increase in Conning's gas delivery revenues of approximately \$6.3 million (23.4% in total revenues).
PSC-41-20-00012-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-41-20-00013-P	..... exempt	The proposed transfer of a Certificate of Environmental Compatibility and Public Need.	Consideration of whether the proposed transfer is in the public interest.
PSC-42-20-00006-P	..... exempt	Proposed major rate increase in National Grid's delivery revenues of approximately \$41.8 million (or 9.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-20-00007-P	..... exempt	Transfer of ownership interests and facilities associated with three nuclear generating units, funds, and storage facilities.	To ensure appropriate regulatory review, oversight, and action concerning the proposed transfer to serve the public interest.
PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations.
PSC-42-20-00009-P	..... exempt	Proposed major rate increase in National Grid's delivery revenues of approximately \$100.4 million (or 3.2% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-43-20-00003-P	..... exempt	The use of \$50 million to support residential and commercial customers experiencing financial hardship	To consider whether the proposed support of ratepayers is in the public interest
PSC-44-20-00004-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-44-20-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-20-00006-P	..... exempt	Transfer of property interests in the Union Falls Hydroelectric Facility.	To determine whether to authorize the transfer of the Union Falls Hydroelectric Facility and the proper accounting treatment.
PSC-44-20-00007-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 90.5 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 90.5 MW electric generating facility.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-44-20-00008-P	..... exempt	Lease of right-of-way and transfer of facilities.	To determine whether to authorize lease of right-of-way, transfer of facilities and the proper accounting treatment.
PSC-44-20-00009-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-44-20-00010-P	..... exempt	Transfer of natural gas pipeline facilities and ownership interests in those facilities, and an applicable regulatory regime.	To ensure appropriate regulatory review, oversight, and action concerning the proposed transfers and the facility owners.
PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-45-20-00004-P	..... exempt	Major gas rate filing	To consider an increase in Central Hudson's gas delivery revenues
PSC-45-20-00005-P	..... exempt	Major electric rate filing	To consider an increase in Central Hudson's electric delivery revenues
PSC-45-20-00006-P	..... exempt	Petition to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-46-20-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service.	To determine if approving the DPS Staff's recommendations is in the public interest.
PSC-46-20-00006-P	..... exempt	Amendments to the SIR.	To more effectively interconnect distributed generation and energy storage Systems 5 MW or less to the distribution system.
PSC-46-20-00007-P	..... exempt	Compliance of New York Transco LLC with the applicable portions of the Electric Safety Standards.	To consider the petition of New York Transco LLC for clarification of its responsibilities under the Electric Safety Standards.
PSC-46-20-00008-P	..... exempt	Compliance report by electric utilities on developing distribution and local transmission in accordance with the AREGCB Act.	To support distribution and local transmission investments necessary to achieve the the State's climate goals.
PSC-46-20-00009-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
PSC-47-20-00006-P	..... exempt	Notice of intent to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-47-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-47-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-20-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers.
PSC-48-20-00006-P	..... exempt	PSC regulations 16 NYCRR 86.3(a)(2); 86.3(a)(2)(iv) and 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-48-20-00008-P	..... exempt	Proposed modifications to Rider T - Commercial Demand Response Program.	To consider revisions to Rider T - CDRP for the 2021 Capability Period.
PSC-48-20-00009-P	..... 12/02/21	Siting of major transmission facilities in new or existing rights of way that qualify for expedited process.	To establish expedited requirements for the siting, construction and operation of major transmission facilities.
PSC-49-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-49-20-00008-P	..... exempt	Amendments to modify provisions related to Emergency Electric Generators under General Information Section III (H).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-49-20-00009-P	..... exempt	Transfer of certain electric transmission facilities and easements.	To determine whether to authorize the proposed transfers and the proper accounting treatment.
PSC-49-20-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-50-20-00004-P	..... exempt	Proposed transfer of the Company's assets to the Purchasers.	To determine if transfer of the water system to the Purchasers is in the public interest.
PSC-51-20-00006-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00007-P	..... exempt	Whitepaper on the ACOS method used by utilities in developing Standby and Buyback Service rates.	To standardize the utility ACOS methods and resulting rates, and to enable stand-alone energy storage systems.
PSC-51-20-00008-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin of 20.7%	To ensure adequate levels of Installed Capacity.
PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers.
PSC-51-20-00010-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00011-P	..... exempt	Lease of right-of-way and transfer of facilities.	To determine whether to authorize lease of right-of-way, and transfer of facilities and the proper accounting treatment.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-51-20-00012-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00013-P	..... exempt	Competitive solicitations to procure 350mw of energy storage systems directed by the Commission's 2018 Energy Storage Order.	To ensure compliance with Public Service Law Section 74 and achieve state goals to install energy storage systems.
PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources.	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources.
PSC-52-20-00002-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-52-20-00003-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-52-20-00004-P	..... exempt	Use of pipeline refund.	To consider how a pipeline refund of \$2.26 million will be utilized by National Fuel.
PSC-52-20-00005-P	..... exempt	Clarification or reconsideration of a provision in a prior order.	To determine whether to clarify or reconsider a provision of a prior order regarding the implementation of Green Button Connect.
PSC-52-20-00006-P	..... exempt	Banked credit distribution rules and processes.	To ensure just and consistent banked credit distribution rules and processes.
PSC-52-20-00007-P	..... exempt	Negative performance factor adjustments applied to auto-dynamic load management and term-dynamic load management participants.	To improve multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-52-20-00008-P	..... exempt	Transfer of a natural gas pipeline and the associated certificate, and application of lightened and incidental regulation.	To determine whether the requested transfers and regulatory treatment are consistent with the law and the public interest.
PSC-52-20-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-52-20-00010-P	..... exempt	Proposed filing regarding capacity surcharge for ESCO transportation customers.	To ensure safe and reliable service for customer at just and reasonable rates.
PSC-52-20-00011-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-52-20-00012-P	..... exempt	The upgrading of cellular antennas on an electric transmission tower.	To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.
PSC-52-20-00013-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-52-20-00014-P	..... exempt	The upgrading of cellular antennas on an electric transmission tower.	To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.
PSC-52-20-00015-P	..... exempt	The upgrading of cellular antennas on an electric transmission tower.	To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-52-20-00016-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(1), 86.3(a)(2), and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-52-20-00017-P	..... exempt	Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC's proposed financing.	To review the proposed financing and consider whether it is within the public interest.
PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers.
PSC-01-21-00005-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-01-21-00006-P	..... exempt	A debt financing arrangement with respect to an electric transmission line under development.	To review the proposed financing and consider whether it is within the public interest.
PSC-01-21-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-01-21-00008-P	..... exempt	The revision of certain delivery rates for electric service.	To ensure safe and reliable service for customers at just and reasonable rates.
PSC-02-21-00006-P	..... exempt	Disposition of a sales tax refund received by New York American Water, Inc.	To determine the disposition of tax refunds and other related matters.
PSC-03-21-00002-EP	..... exempt	Postponement of delivery rate, System Improvement Charge (SIC) and RAC/PTR surcharge with make whole starting on May 1, 2021.	To assist customers in a time of hardship by delaying a rate increase and SIC increase and RAC/PTR surcharge implementation.
PSC-03-21-00006-P	..... exempt	Comprehensive study to identify distribution and transmission investments in accordance with the AREGCB Act.	To support distribution and local transmission investments necessary to achieve the State's climate goals.
PSC-03-21-00007-P	..... exempt	Waiver of certain rules, i.e., 7-day installation requirements pertaining to cable television franchise.	To determine whether to waive any rules and regulations.
PSC-03-21-00008-P	..... exempt	Authorization to recover costs for three transmission projects and related mechanisms.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-03-21-00009-P	..... exempt	The waiver of regulation and tariff provisions to allow for more time to recover the deposit for electric infrastructure.	Whether the extension of the deadline is in the public interest.
PSC-04-21-00011-P	..... exempt	Proposed tariff revisions for the DLM Program summer 2021 capability period.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-04-21-00012-P	..... exempt	Proposed tariff revisions and clarifications for the DLM Program summer 2021 capability period.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-04-21-00013-P	..... exempt	Proposed tariff revisions for the DLM Program summer 2021 capability period.	More efficient demand response programs to gain operational efficiency and shave peak demand.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-04-21-00014-P	..... exempt	Proposed DLM Program and tariff revisions for the summer 2021 capability period.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-04-21-00015-P	..... exempt	Proposed tariff revisions for the DLM Program summer 2021 capability period.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-04-21-00016-P	..... exempt	Request for a waiver.	To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement.
PSC-04-21-00017-P	..... exempt	Funding and management of the the Clean Energy Fund portfolio.	To review NYSEERDA's proposed modifications to the Clean Energy Fund portfolio and determine whether the changes are acceptable.
PSC-04-21-00018-P	..... exempt	Minor electric rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-04-21-00019-P	..... exempt	Consideration of National Grid USA's New York electric and gas utilities' Implementation Plan and audit recommendations.	To ensure that recommendations issued in a comprehensive management audit are appropriately addressed and implemented.
PSC-04-21-00020-P	..... exempt	NFG's Implementation Plan and audit recommendations.	To consider to implement the management audit recommendations.
<b>STATE, DEPARTMENT OF</b>			
DOS-37-20-00015-P	..... 09/16/21	Siting of major renewable energy facilities	To establish procedural requirements for permits for siting, construction and operation of major renewable energy facilities
DOS-37-20-00016-P	..... 11/29/21	Siting permits for major renewable energy facilities	To establish uniform standards and conditions for siting, design, construction & operation of major renewable energy facilities
DOS-41-20-00001-P	..... 10/14/21	Public Playground Safety	Update public playground safety standards
DOS-48-20-00010-P	..... 12/02/21	Procedures and requirements related to the filing of certificates by the Department of State's Division of Corporations	To clarify and update procedures related to the filing of certificates with the Division of Corporations
DOS-51-20-00004-P	..... 12/23/21	Fair Housing Requirements for Appraisers and Assistant Appraisers	To Mandate Fair Housing Education as a Condition of Renewal
<b>STATE UNIVERSITY OF NEW YORK</b>			
*SUN-53-19-00005-P	..... 04/29/21	Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville	Amend existing regulations to update traffic and parking regulations
SUN-29-20-00004-EP	..... 07/22/21	State basic financial assistance for the operating expenses of community colleges under the program of SUNY and CUNY	To modify limitations formula for basic State financial assistance and remove an operating support "floor"
SUN-29-20-00005-EP	..... 07/22/21	Student Assembly Elections, Student Assembly Officers, Campus Government Elections, Student Activity Fees	To postpone voting on student activity fees and elections of Student Assembly representatives and officers until Fall 2020

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY</b>			
SIR-39-20-00008-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations and trains operated by SIRTOA.	To safeguard the public health and safety by amending rules to require the use of masks when using terminals and stations.
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
TAF-46-20-00003-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-51-20-00002-EP	12/23/21	Metropolitan Transportation Business Tax Surcharge	To provide metropolitan transportation business tax rate for tax year 2021
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-16-20-00012-P	04/22/21	New York State Combined Application Project (NYSCAP)	To implement the NYSCAP, a new combined application project for recipients of Supplemental Security Income benefits, who have been designated as Live-Alone by the Social Security Administration and the State-funded SSI State Supplement Program
TDA-46-20-00002-P	11/18/21	Payment access cards	To update State regulations pertaining to payment access cards to align with Part V of Chapter 56 of the Laws of 2020
<b>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY</b>			
TBA-50-20-00005-P	exempt	A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA	A proposal to raise additional revenue
<b>WORKERS' COMPENSATION BOARD</b>			
WCB-23-20-00004-P	06/10/21	EDI system updates	To require carriers to report certain credits taken for payments to claimants; biannual reports; EDI 3.1 updates
WCB-28-20-00003-EP	07/15/21	Adding COVID-19 diagnosis by a health care provider as a serious health condition for purposes of Paid Family Leave	To clarify that employees may take PFL to care for a family member with COVID-19
WCB-42-20-00004-P	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs
WCB-42-20-00005-P	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs
WCB-42-20-00010-P	10/21/21	Requesting prior approval for medical treatment and care	To implement an internet portal-based submission and review process
WCB-42-20-00012-P	10/21/21	DME Fee Schedule	To replace DME fee schedule, update fees; create prior authorization process
WCB-48-20-00002-EP	12/02/21	Reimbursement for COVID-19 testing	To allow reimbursement for COVID-19 testing when benefits are sought due to workplace exposure to COVID-19



# REGULATORY AGENDA

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## Department of Agriculture and Markets

Pursuant to subdivision 1 of section 202-d of the State Administrative Procedure Act, notice is hereby provided of the following rules which the Department of Agriculture and Markets is considering proposing but for which a rulemaking proceeding has not been commenced. All section and Part references are to Title 1 of the New York Code of Rules and Regulations, except where noted.

### DIVISION OF ANIMAL INDUSTRY

Section 45.6: Consider amendments to section 45.6 to require mandatory depopulation, cleaning, and disinfection of the live poultry markets every 3 months.

Part 50: Consider amendments to regulations pertaining to live-stock disinfection procedures and removing obsolete provisions.

Part 53: Consider amendments relative to the movement of cattle into New York State.

Part 57: Consider repealing sections 57.7 through 57.23 pertaining to the salmonella enteritis testing program.

Part 60: Consider amending requirements governing the intrastate movement of deer in light of amendments to health requirements for captive cervids (Part 68) and also clarify requirements for tuberculosis testing.

Part 61: Consider adopting recordkeeping requirements for swine, cervid, camelid, goat, and sheep dealers.

Part 64: Consider amending sections 64.4, 64.7 and 64.8 to clarify the requirement that veterinarians must have Class 2 United States Department of Agriculture accredited status in order to submit samples for official equine infectious anemia (Coggins) tests.

Part 67: Consider amending importation restrictions on livestock originating in states with vesicular stomatitis virus to make those restrictions consistent with federal requirements.

Part 77: Consider amending the standards of care for seized dogs, clarifying the definition of a dog dealer and conforming the means of euthanasia set forth in section 77.3(a) of the regulations to Agriculture and Markets Law section 374(3)(a).

Part 82: Consider adopting pet dealer regulations to establish requirements for the veterinary plan, primary enclosure, whelping box, exercise for the animals, isolation area, ventilation, temperature, and light.

Part 351: Consider amending sections 351.6 and 351.10 to require official identification in the form of United States Department of Agriculture approved official RFID ear tags for cattle and swine entering all county fairs and the New York State Fair.

Agency contact: David M. Chico, VMD, MPH, DACVPM, Interim Acting Director, Division of Animal Industry

Office Address: 10B Airline Drive, Albany, New York 12235

Telephone Number: (518) 457-3502

E-Mail Address: David.Chico@agriculture.ny.gov

### DIVISION OF FOOD SAFETY AND INSPECTION

Parts 250, 252, 259: Consider amending to incorporate by reference the most recent Federal regulations.

Sections 261.8, 261.9, 262.1, 265.1, 266.1, 267.1, 271-4.7, 271-

5.3(h), 271-5.3(j), 271-5.4(g): Consider amending to incorporate by reference the most recent Federal regulations.

Section 271-2.2(f): Consider repealing the inspection requirement by an approved mushroom identification expert of mushroom species picked in the wild prior to sale.

Section 271-7.30: Consider amendments to the requirement of the posting of a sign near each entrance of a store indicating "No Animals (Other Than Service Animals) Allowed."

Parts 277, 279, 280 and 281: Consider amending to incorporate by reference the most recent Federal regulations.

Part 283: Consider incorporating by reference 21 CFR Part 507 - Current Good Manufacturing Practices, Hazard Analysis, and Risk Based Controls for Food for Animals.

Agency contact: Dan McCarthy, Acting Director, Division of Food Safety and Inspection

Office Address: 10B Airline Drive, Albany, New York 12235

Telephone Number: (518) 457-4492

E-Mail Address: Dan.McCarthy@agriculture.ny.gov

### DIVISION OF MILK CONTROL AND DAIRY SERVICES

Part 2: Consider amendments in order to regulate camel's milk.

Part 2: Consider the inclusion of section 1R from the Pasteurized Milk Ordinance on Abnormal Milk in the Sanitation Requirements For Dairy Farms (Currently Section 2.9).

Section 2.8: Consider amendments to make changes relative to the somatic cell count for pre-pasteurized milk from sheep and goats.

Section 2.8: Consider amendments to establish quality standards for raw milk cheeses.

Agency contact: Casey McCue, Director, Division of Milk Control and Dairy Services

Office Address: 10B Airline Drive, Albany, New York 12235

Telephone Number: (518) 457-1772

E-Mail Address: Casey.McCue@agriculture.ny.gov

### DIVISION OF PLANT INDUSTRY

Parts 106 and 107: Consider updating seed potato certification standards for foundation and certified classes to reflect advances in plant disease testing and to set standards and tolerances for a group of bacterial pathogens known by the common name "blackleg."

Part 127: Consider amendments to release additional areas from the golden nematode quarantine.

Part 128: Consider amendments to the European Cherry Fruit Fly Quarantine to reflect the most recent survey data and changes in the treatment and movement of regulated articles.

Part 140: Consider amendments to release the remaining Plum Pox Virus Regulated Areas in the Hudson Valley Region.

Part 142: Consider amendments to the Spotted Lanternfly exterior quarantine to reflect the most recent survey data and implement an interior quarantine to limit the human assisted spread of spotted lanternfly within the borders of New York State.

Part 159: Consider amendments to the industrial hemp regulations to align them with the current version of Article 29 of the Agriculture and Markets Law.



Agency Contact: Christopher Logue, Director, Division of Plant Industry

Office Address: 10B Airline Drive, Albany, New York 12235

Telephone Number: (518) 457-2087

E-Mail Address: Christopher.Logue@agriculture.ny.gov

BUREAU OF WEIGHTS AND MEASURES

Section 220.1: Consider removing the requirement for commercial devices to have NYS approval and only use approval through the National Conference on Weights and Measures (NCWM). Also consider removing the associated \$100 fee paid by private industry in section 220.12(a)(2).

Section 220.5: Consider removing terminal rack meters from the list of devices which municipal weights and measures officials are mandated to test.

Section 220.5: Consider allowing the Federal Milk Market Administrator to perform calibrations of milk holding tanks independently, without the involvement of local W&M offices.

Section 220.5: Consider amendments to remove timing devices from the list of devices which municipal weights and measures officials are mandated to test.

Part 221: Consider creating a method-of-sale regulation for electric vehicle (EV) charging stations.

Part 224: Consider the removal of the requirement for posting the cetane rating, to recognize a legislative amendment to AML 16, section 192-c.

Part 225: Consider adopting regulations to implement Agriculture and Markets Law section 192-h, relating to the installation of generators at service stations in the downstate area.

Agency contact: Michael Sikula, Director, Bureau of Weights and Measures

Office Address: 10B Airline Drive, Albany, New York 12235

Telephone Number: (518) 457-3146

E-Mail Address: Mike.Sikula@agriculture.ny.gov

DESIGNATED AGENCY REPRESENTATIVE: Nicole Persaud, Senior Attorney

Office Address: 10B Airline Drive, Albany, New York 12235

Telephone number: (518) 457-1059

E-Mail Address: Nicole.Persaud@agriculture.ny.gov

## Office of Children and Family Services

Pursuant to section 202-d of the State Administrative Procedure Act (SAPA,) the Office of Children and Family Services (OCFS) is required to publish a regulatory agenda for those regulations it is considering for publication in the State Register. Set forth below is an agenda for 2020. OCFS reserves the right to add, delete or modify, without further notice, except as required by SAPA, any item or information presented herein as relating to its 2020 Regulatory Agenda. Section 202-d of SAPA does not preclude OCFS from proposing for adoption a regulation that is not described in this agenda, nor does it require OCFS to propose for adoption a regulation that is described in this agenda.

Amendment of Subpart 180-1 of Title 9 of the NYCRR to implement uniform standards and procedures for the establishment and operation of non-secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Addition of Subpart 180-2 of Title 9 of the NYCRR to implement uniform standards and procedures for the establishment and operation of secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Addition of Subpart 180-4 of Title 9 of the NYCRR to implement uniform standards and procedures for the administration of non-secure, secure, and specialized secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Addition of Subpart 180-5 of Title 9 of the NYCRR to implement uniform standards and procedures for hearings relating to the suspension or revocation of operating certificates for non-secure, secure, and

specialized secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Addition of Subpart 180-6 of Title 9 of the NYCRR to implement uniform standards and procedures for the transportation of youth held in non-secure, secure, and specialized secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Amendments to Part 489 of Title 18 of the NYCRR to bring clarification to and updating of regulations to assist in the operation and oversight of FTHAs. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Any questions, comments, or requests for information concerning the items listed in this agenda may be referred to Frank Nuara, Associate Attorney, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, (518) 474 - 9778. Email: REGCOMMENTS@ocfs.ny.gov This regulatory agenda may also be accessed on OCFS's website at: <https://ocfs.ny.gov/main/legal/Regulatory/>

## Department of Financial Services

Pursuant to State Administrative Procedure Act ("SAPA") Section 202-d, the following Regulatory Agenda is a list of the regulatory additions and amendments to Titles 3, 11, and 23 of the NYCRR that the New York State Department of Financial Services ("Department") is presently considering proposing during 2021. Some of these items were previously published in the January 2020 Regulatory Agenda. Items that have already been published in the State Register as "proposed" actions are not included on the list. The Department's regulatory plans are subject to change, and the Department reserves the right to add to, delete from, or modify items in the Regulatory Agenda without further notice.

This notice also is intended to provide small businesses, local governments, and public and private interests in rural areas with the opportunity to participate in the rule making process, as required by Sections 202-b and 202-bb of SAPA.

### I. Insurance Regulations

For inquiries about a specific item, please contact the person identified for that item. For general inquiries about the Insurance Regulations included in this Regulatory Agenda, or to obtain copies of current Insurance Regulations, please contact:

Sally Geisel

Supervising Attorney

New York State Department of Financial Services

One State Street

New York, NY 10004

(212) 480-7608

1. Summary description of proposal: Amendment of 11 NYCRR 20 (Brokers, Agents and Certain Other Licensees – General) (Insurance Regulations 9, 18, and 29) to require, during the two-year licensing term, at least one continuing education ("CE") credit for an overview of the New York Insurance Law for all resident public adjusters and insurance producers, at least one ethics and professionalism CE credit for all resident public adjusters and insurance producers, at least one diversity, inclusion, and elimination of bias CE credit for all resident public adjusters and insurance producers, at least one flood insurance CE credit for all property/casualty resident insurance producers, and at least three enhanced flood insurance CE credits for resident insurance producers who sell flood insurance through the National Flood Insurance Program. Agency contact: Joana Lucashuk, Principal Attorney, Office of General Counsel – (212) 480-2125.

2. Summary description of proposal: Amendment of 11 NYCRR 25 (Public Adjusters) (Insurance Regulation 10) to address amendments made to the Insurance Law by Chapter 546 of the Laws of 2013. Agency contact: Joana Lucashuk, Principal Attorney, Office of General Counsel – (212) 480-2125.

3. Summary description of proposal: Amendment of 11 NYCRR 82 (Enterprise Risk Management and Own Risk and Solvency Assess-

ment) (Insurance Regulation 203) to require a holding company and certain domestic insurers to describe their enterprise risk management functions in their enterprise risk reports and to clarify certain language. Agency contact: Joana Lucashuk, Principal Attorney, Office of General Counsel – (212) 480-2125.

4. Summary description of proposal: Addition of a new subpart 65-6 to 11 NYCRR (Insurance Regulation 65-F), amendment of 11 NYCRR 65 (Regulations Implementing the Comprehensive Motor Vehicle Insurance Repairs Act) (Insurance Regulation 68), and amendment of 11 NYCRR 68 (Charges for Professional Health Services) (Insurance Regulation 83) to implement an alternative dispute resolution process for disputes involving claims of independent livery drivers that are processed pursuant to pre-authorization procedures and medical treatment guidelines set forth in 12 NYCRR 324 and applicable provisions of Article 2 of the Workers' Compensation Law. Agency contact: Camielle A. Barclay, Associate Attorney, Office of General Counsel – (212) 480-5299.

5. Summary description of proposal: Amendment of 11 NYCRR 68 (Charges to Professional Health Services) (Insurance Regulation 83) to update the fee schedule rules applicable to no-fault in light of amendments to Workers' Compensation Board's fee schedules. Agency contact: Camielle Barclay, Associate Attorney, Office of General Counsel – (212) 480-5299.

6. Summary description of proposal: Amendment of 11 NYCRR 65-4 (Arbitration) (Insurance Regulation 68-D) to amend rules related to both the manner in which the first party motor vehicle insurance arbitration programs are administered and the manner in which the costs of these programs are assessed to the insurance industry. Agency contact: Camielle Barclay, Associate Attorney, Office of General Counsel – (212) 480-5299.

7. Summary description of proposal: Amendment of 11 NYCRR 65-2 (Rights and Liabilities of Self-Insurers) (Insurance Regulation 68-B), 11 NYCRR 65-3 (Claims for Personal Injury Protection Benefits) (Insurance Regulation 68-C), 11 NYCRR 65-4 (Arbitration) (Insurance Regulation 68-D), the New York Motor Vehicle No-Fault Insurance Law Assignment of Benefits Form, the NYS Form NF-3, and the NYS Form NF-10 to prescribe that an insurer may void the assignability of all rights, privileges, and remedies to a health care provider (other than a hospital) from an eligible injured person through an executed assignment of benefits form if the insurer denies a claim because the eligible injured person failed to appear for a medical examination or examination under oath at the insurer's request. Agency contact: Camielle A. Barclay, Associate Attorney, Office of General Counsel – (212) 480-5299.

8. Summary description of proposal: Amendment to 11 NYCRR 67 (Mandatory Underwriting Inspection Requirements for Private Passenger Autos) (Insurance Regulation 79) regarding automobile photo inspections. Agency contact: Camielle Barclay, Associate Attorney, Office of General Counsel – (212) 480-5299.

9. Summary description of proposal: Amendment of 11 NYCRR 136 (Public Retirement Systems) (Insurance Regulation 85) to conform to the enactment of Retirement and Social Security Law Section 424-a by prohibiting retirement funds from engaging or investing with an investment manager that uses the services of a placement agent or intermediary to assist in obtaining investments by such funds. Agency contact: Michael Campanelli, Principal Attorney, Office of General Counsel – (212) 480-5290.

10. Summary description of proposal: Amendment of 11 NYCRR 62 (Anti-Arson Application) (Insurance Regulation 96) to update the rule to comport with the 2017 amendment to Insurance Law Section 3403(g)(2), which made the section applicable only to cities with one million or more (instead of 400,000 or more) people. Under the legislative amendment, the city of Buffalo is no longer subject to anti- arson application requirements. Agency contact: Sally Geisel, Supervising Attorney, Office of General Counsel – (212) 480-7608.

11. Summary description of proposal: Amendment of 11 NYCRR 60-1 (Minimum Provisions for Automobile Liability Insurance Policies) (Insurance Regulation 35-A) to amend subdivision (c) of 11 NYCRR 60-1.1 to fix an incorrect grammatical construction caused by the formatting of the subdivision. The current format may lead a

reader to limit the application of subparagraphs (i) – (iii) to subdivision (c)(3) only, when in fact the subparagraphs apply also to paragraphs (2) and (3) of subdivision (c). Agency contact: Joana Lucashuk, Principal Attorney, Office of General Counsel – (212) 480-2125.

12. Summary description of proposal: Amendment of 11 NYCRR 55 (Notice to Employees Concerning Termination of Group and Health Insurance Policies) (Insurance Regulation 78) to correct a typographical error in 11 NYCRR 55.1(d) by replacing the reference to "section 4225 of the Insurance Law" with "Insurance Law section 4235". Agency contact: Sally Geisel, Supervising Attorney, Office of General Counsel – (212) 480-7608.

13. Summary description of proposal: Amendment of 11 NYCRR 216 (Unfair Claims Settlement Practices and Claim Cost Control Measures) (Insurance Regulation 64) to update Section 216.7 to clarify certain provisions in the regulation regarding motor vehicle physical damage claims. Agency contact: Hoda Nairooz, Supervising Insurance Examiner, Property Bureau – (212) 480-5595.

14. Summary description of proposal: Amendment of 11 NYCRR 111 (Statement of Actuarial Opinion and Actuarial Opinion Summary for Property/Casualty Insurers) (Insurance Regulation 207) to update the reference to the annual statement instructions published by the National Association of Insurance Commissioners that is incorporated by reference in the regulation. Agency contact: Sak Man Luk, Supervising Casualty Actuary, Property Bureau – (212) 480-5135.

15. Summary description of proposal: Amendment of 11 NYCRR 53 (Life and Annuity Cost Disclosure and Sales Illustrations) (Insurance Regulation 74) to revise and clarify the delivery, signature and certification form requirements for life insurance sales illustrations, including electronic delivery, for policies marketed with illustrations; to modify the bases used for illustrations for life insurance policies with non-guaranteed elements, including universal life; to add requirements on the disciplined current scale underlying the illustrations; and to require additional disclosures for such policies. Agency contact: Rebecca Bollam, Associate Insurance Attorney, Life Bureau – (518) 474-4552.

16. Summary description of proposal: Amendment of 11 NYCRR 50 (Separate Accounts and Separate Account Annuities) (Insurance Regulation 47) to establish revised standards for the operation of separate accounts, contract provisions, and actuarial requirements to reflect statutory changes, recent innovations in product design, and changes in administration of separate account products. Agency contact: Peter Dumar, Chief Insurance Attorney, Life Bureau – (518) 474-4552.

17. Summary description of proposal: Amendment of 11 NYCRR 103 (Principle-Based Reserving) (Insurance Regulation 213) to update the reference to the Valuation Manual published by the National Association of Insurance Commissioners that is incorporated by reference in the regulation. Agency contact: Amanda Fenwick, Assistant Chief Life Actuary, Life Bureau – (518) 473-6576.

18. Summary description of proposal: Adoption of a new Part to 11 NYCRR (Issuance of Stop-Loss and Health Insurance Policies to Small Groups) to establish standards relating to the activities of insurers issuing stop-loss and health insurance policies to small groups in order to preserve and maintain the small group health insurance market in New York. Agency contact: Jon Thayer, Associate Attorney, Health Bureau – (518) 486-2970.

19. Summary description of proposal: Amendment of 11 NYCRR 52 (Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) (Insurance Regulation 62) to require health plans to hold an insured harmless when the insured has relied on the health plan's inaccurate electronic provider directory and then receives an out-of-network bill. The insured will be responsible only for any in-network cost sharing. Agency contact: Emily Donovan, Associate Attorney, Health Bureau – (518) 486-2970.

20. Summary description of proposal: Amendment of 11 NYCRR 52 (Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) (Insurance Regulation 62) to set forth standards relating to health insurance pro-

ducer payments. Agency contact: Lydia Hoffman, Director Financial Services Programs 1, Health Bureau – (518) 486-2970.

21. Summary of description of proposal: Amendment of 11 NYCRR Part 52 (Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) (Insurance Regulation 62) and Part 215 (Advertisements of Accident and Health Insurance) (Insurance Regulation 34) to establish minimum standards and consumer protections for accident, travel, and hospital indemnity insurance. Agency contact: Christina Fernet, Associate Attorney, Health Bureau – (518) 486-2970.

22. Summary of description of proposal: Adoption of a new Part to 11 NYCRR (Transparency) to require health plans to provide consumers with information about network providers, such as cost-estimator tools, to allow consumers to make more intelligent decisions regarding their choice of provider. Agency contact: John Powell, Director of Rate Review, Health Bureau – (518) 474-4567.

23. Summary description of proposal: Amendment of 11 NYCRR 52 (Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) (Insurance Regulation 62) to set forth standards relating to the modalities for the provision of telehealth services and to provide consumers with information in provider directories about the availability of telehealth services from network providers. Agency contact: Tobias J. Len, Assistant Chief, Health Bureau – (518) 486-2970.

## II. Banking Regulations

For inquiries about the Banking Regulations included in this Regulatory Agenda, or to obtain copies of current Banking Regulations, please contact:

Christine M. Tomczak

Assistant Counsel

New York State Department of Financial Services

One State Street

New York, NY 10004

(212) 709-1642

1. Summary description of proposal: Amendment of Part 8 of the General Regulations of the Superintendent, 3 NYCRR Part 8 (Superintendent's Regulations: Banking Development Districts), to conform the regulation to include participation by credit unions pursuant to the recently amended Sec. 96-d of the Banking Law.

2. Summary description of proposal: Amendments of Part 38 of the General Regulations of the Superintendent, 3 NYCRR Part 38 (Definition of Terms; Advertising; Application and Commitment Disclosures and Procedures; Improper Conduct under Article 12-D), to enhance advertising, disclosure and conduct rules for mortgage bankers and brokers and to incorporate applicable changes under federal laws and regulations.

3. Summary description of proposal: Amendment of Part 41 of the General Regulations of the Superintendent, 3 NYCRR Part 41 (Restrictions and Limitations on High Cost Home Loans), to address threshold limits, the impact of lender paid fees, and otherwise to conform to the requirements of Section 6-l of the Banking Law.

4. Summary description of proposal: Amendment of Part 79 of the General Regulations of the Superintendent, 3 NYCRR Part 79 (Reverse Mortgage Loans), to give effect to changes in foreclosure procedures enacted in the Law of 2020, Chapter 337 and any subsequent corrective amendment to that statute.

5. Summary description of proposal: Amendment of Part 322.7 of the Superintendent's Regulations, 3 NYCRR Part 322.7 (Definition of Well-Rated Foreign Banking Corporations), in connection with the elimination by the Federal Reserve System of the Strength of Support Assessment (SOSA) rating for all foreign banking organizations subject to the interagency program for supervising the U.S. operations of foreign banking organizations.

6. Summary description of proposal: Amendment of Part 400.2 of the Superintendent's Regulations, 3 NYCRR Part 400.2 (Books, Records and Microfilm), to eliminate outdated regulatory requirements (i.e. maintenance of records on microfilm) in connection with check cashers books and records.

7. Summary description of proposal: Amendment of Part 401 (Licensed Lenders), Part 403 (Sales Finance Companies) and Part 405 (Premium Finance Agencies) of the Superintendent's Regulations, 3 NYCRR Part 401, Part 403 and Part 405, to include a reporting requirement for each licensee to submit to the Superintendent an independent audited annual financial statement within 90 days after the licensee's fiscal year end.

8. Summary description of proposal: Amendment of Part 403 of the Superintendent's Regulations 3 NYCRR Part 403 (Sales Finance Companies) to include a requirement for the submission of annual reports to the superintendent and to allow the superintendent to make requests for additional regular or special reports as deemed necessary.

9. Summary description of proposal: Amendment of Part 410 and Part 413 of the Superintendent's Regulations, 3 NYCRR Part 410 (Mortgage Bankers; Licensing Requirements; Mortgage Brokers; Registration Requirements; Branch Applications; Notifications; Books and Records; Annual Reports; Surety Bonds; and Consultants of Licensed Mortgage Bankers and Registered Mortgage Brokers) and 3 NYCRR Part 413 (Procedures and Requirements for Mortgage Brokers to Act as FHA Mortgage Loan Correspondents) and Supervisory Procedure 3 NYCRR MB 101 (Application for a License as a Mortgage Banker), Supervisory Procedure 3 NYCRR MB 102 (Application for Registration as a Mortgage Broker), Supervisory Procedure 3 NYCRR MB 103 (Application for a Change in Control of a Mortgage Banker) and Supervisory Procedure 3 NYCRR MB 104 (Application for a Change in Control of a Mortgage Broker), to eliminate certain outdated regulatory requirements and to clarify language, the minimum licensing standards, and other requirements in connection with mortgage banker and mortgage broker applications.

10. Summary description of proposal: Amendment of Part 420 of the Superintendent's Regulations, 3 NYCRR Part 420 (Mortgage Loan Originators: Education Requirements), to conform to amendments made to the federal SAFE Mortgage Licensing Act, which gives qualifying out-of-state mortgage loan originators the temporary authority to operate as a mortgage loan originator in New York prior to completing all licensing requirements.

11. Summary description of proposal: Repeal of Supervisory Procedure 3 NYCRR (Public Access to Department of Financial Services Records), to repeal this outdated Banking regulation in connection with the promulgation of a new Financial Services regulation to provide one set of unified and updated rules governing public access to records of the Department of Financial Services.

## III. Financial Services Regulations

For specific inquiries about the Financial Services Regulations included in this Regulatory Agenda, or to obtain copies of current Financial Services Regulations, please contact the person identified for that item.

1. Summary of description of proposal: Amendment of 23 NYCRR 400 (Independent Dispute Resolution for Emergency Services and Surprise Bills) to establish independent dispute resolution process for emergency services from a non-participating physician or hospital, including a bill for inpatient services that follows an emergency room visit. Agency contact: Emily Donovan, Associate Attorney, Health Bureau – (518) 486-2970.

2. Summary of description of proposal: Amendment of 23 NYCRR 2 (Rules Governing the Procedures for Adjudicatory Proceedings Before the Department of Financial Services) to add a new section specifying that the Department of Financial Services ("Department") may conduct administrative hearings by videoconference at the Department's discretion so that parties and hearing officers do not have to be physically present at the same location during hearings, subject to a determination by the hearing officer upon a timely objection filed by the respondent or applicant that a hearing held by videoconference would either impinge upon the respondent's or applicant's due process rights, or would be fundamentally unfair or impractical, as expressed in the new section. Agency contact: Alan Lebowitz, Deputy General Counsel, Office of General Counsel – (212) 709-1575.

3. Summary of description of proposal: Amendment of 23 NYCRR 500 (Cybersecurity Requirements for Financial Services Companies)

to provide updated rules governing cybersecurity, to eliminate certain outdated regulatory requirements, and to clarify language, minimum standards, and other requirements in connection with cybersecurity. Agency contact: Joanne Berman, Counsel, Cybersecurity Division – (347) 541-2978.





# RULE REVIEW

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## Education Department

Section 207 of the State Administrative Procedure Act (SAPA) requires that each State agency review each of its rules that is adopted on or after January 1, 1997 in the calendar year specified in the notice of adoption for the rule, provided that at a minimum every rule shall be initially reviewed no later than in the fifth calendar year after the year in which the rule is adopted, and, thereafter, every rule shall be re-reviewed at five-year intervals, in order to determine whether such rules should be modified or continued without modification.

Pursuant to SAPA section 207, the State Education Department submits the following list of its rules that were adopted during calendar years 2018, 2017, 2016, 2013, 2011, 2006 and 2001 and invites public comment on the continuation or modification of such rules. All section and part references are to Title 8 of the New York Code of Rules and Regulations. Comments should be sent to the respective agency representative listed below for each particular rule and must be received within 45 days of the date of publication of this Notice.

### A. CALENDAR YEAR 2018 (3 YEAR REVIEW)

#### OFFICE OF P-12 EDUCATION

##### Section 100.7 Pathways to Graduation

Description of Rule: New pathway to a NYS high school equivalency diploma.

Need for Rule: To allow students to use passing scores on certain Regents examinations in lieu of certain TASC sub-tests.

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305(1) and (2), 308, 309, and 3204(3).

##### Sections 135.1 and 135.3 Mental Health Education

Description of Rule: Mental health education in schools.

Need for Rule: To implement the provisions of Chapter 390 of the Laws of 2016 and Chapter 1 of the Laws of 2017 requiring health education in schools to include mental health education.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2), 308, 804(1)-(7), Chapter 401 of the Laws of 1998, Chapter 390 of the Laws of 2016, and Chapter 1 of the Laws of 2017.

##### Sections 100.5 Science Lab Requirements

Description of Rule: Laboratory experiences required to take a science regents examination for students in certain state agency educational programs.

Need for Rule: To provide flexibility in meeting the science laboratory requirements for students in certain state agency educational programs.

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305(1) and (2), 308, 209, and 3204(3) and (4).

##### Section 100.2(kk) DASA

Description of Rule: Reports of incidents of harassment, bullying, and/or discrimination pursuant to the Dignity for All Students Act (DASA).

Need for Rule: To provide illustrative examples to the field to aid in the continued implementation of DASA.

Legal Basis for Rule: Education Law sections 11(1-7), 14(3), 15, 16, 101, 207, 305(1) and (2), and 2854(1)(b), and Chapter 482 of the Laws of 2010.

##### Sections 175.2 and 175.5 State Aid

Description of Rule: Minimum instruction requirement for State aid.

Need for Rule: To modify the manner in which minimum instructional time is calculated for State aid purposes.

Legal Basis for Rule: Education Law sections 101, 207, 1704, and 3604.

##### Agency Representative:

Information may be obtained, and written comments may be submitted, concerning any of the above proposed amendments by contacting:

Kimberly Young Wilkins

Deputy Commissioner for P12 Instructional Support

New York State Education Department

Room 875, Education Building Annex

89 Washington Avenue

Albany, New York 12234

(518) 486-1954

[nysedp12@nysed.gov](mailto:nysedp12@nysed.gov)

#### OFFICE OF HIGHER EDUCATION

##### Section 80-6.1 CTLE/Non-publics

Description of Rule: Continuing teacher and leader education (CTLE) for non-public school teachers.

Need for Rule: To implement Chapter 311 of the Laws of 2017 requiring mandatory continuing education for all holders of professional certificates in the classroom teaching service.

Legal Basis for Rule: Education Law sections 101, 207, 305, 3001, 3004, 305, and 3006-a and Chapter 311 of the Laws of 2017.

##### Section 80-5.26 Puerto Rico Certificates

Description of Rule: Temporary Hurricane Maria certificate.

Need for Rule: To provide temporary certificates for teachers displaced from Puerto Rico and/or another US territory as a result of Hurricane Maria.

Legal Basis for Rule: Education Law sections 101, 207, 305, 3001, 3004, and 3009.

##### Section 80-5.25 Transitional H Certificate

Description of Rule: Transitional H Certificate Pathway.

Need for Rule: To establish a Transitional H Pathway for holders of a NYS license as a CPA to Pursue a School District Business Leader Certificate.

Legal Basis for Rule: Education Law sections 101, 207, 305, 3001, 3004, and 3009.

##### 80-3.10 Educational Leadership Service

Description of Rule: Relates to requirements for certificates in the Educational Leadership Service.

Need for Rule: To revise program requirements for leadership programs necessary for certificates in Educational Leadership service.

Legal Basis for Rule: Education Law sections 207, 305, 3001, and 3004.

Section 52.21, Parts 30 and 80 Computer Science

Description of Rule: Teacher certification and tenure in computer science.

Need for Rule: To create a new certification area and tenure area in computer science.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305, 3001, 3004, and 3009.

Section 80-5.13 Transitional B Pathway

Description of Rule: Alternative teacher education models for Transitional B certification.

Need for Rule: To provide flexibility in alternative teacher education models for Transitional B certification.

Legal Basis for Rule: Education Law sections 101, 207, 305, 3001, 3003, 3004 and 3009.

Section 80-3.4 Mentoring Requirement

Description of Rule: Mentoring program for professional certification.

Need for Rule: To enable new teachers who are hired late in the academic year to have the same amount of time to participate in mentoring.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305, 3001, 3004, and 3009.

Sections 52.21 and 80-5.22 Transitional G Certificate and Pre-Professional Certificate

Description of Rule: Transitional G teaching certificate and pre-professional teaching assistant experience.

Need for Rule: To expand the certification areas for which a Transitional G certificate may be issued and allow certain pre-professional teaching assistant experience to be counted towards experience for a professional certificate.

Legal Basis for Rule: Education Law sections 101, 207, 305, 3001, 3004, and 3009.

Sections 27-1.1, 27-2.6 HEOP

Description of Rule: Higher Education Opportunity Program requirements.

Need for Rule: To amend existing requirements for the Higher Education Opportunity Program.

Legal Basis for Rule: Education Law sections 101, 207, 305, 6451, and 6452.

Sections 3.58, 3.59 Procedures for Not-for-Profits Institutions to Offer Degrees

Description of Rule: Authorization of an independent/not-for-profit higher education institution to offer programs leading to postsecondary degrees.

Need for Rule: To establish requirements and fees for the authorization of independent/not-for-profit higher education institutions to offer postsecondary degrees.

Legal Basis for Rule: Education Law section 207, 210, 215, 216, 218, and 224, State Finance Law section 97-llll, and Chapter 82 of the Laws of 1995.

Subpart 4-2 and Section 52.21 Accreditation

Description of Rule: Continuous accreditation requirement for education preparation providers.

Need for Rule: Allows institutions of higher education with registered educator programs to be accredited by accrediting associations seeking recognition.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, and 305.

Section 52.21 Graduate Admissions

Description of Rule: Graduate admission examination requirements.

Need for Rule: To implement Chapter 454 of the Laws of 2017 by

clarifying that the graduate admission examination requirement does not apply to certified teachers and school administrators who already hold a graduate degree.

Legal Basis for Rule: Education Law sections 101, 207, and 210-a and Chapter 454 of the Laws of 2017.

Section 80-1.5 Safety Net Extensions

Description of Rule: Safety nets for teacher certification examination.

Need for Rule: To provide for an extension of all safety nets to allow candidates to complete all other certification requirements by June 30, 2018.

Legal Basis for Rule: Education Law sections 207, 305, 3001, 3003, 3004, and 3009.

Section 80-4.3 Special Education Certification Flexibility

Description of Rule: Grade-level extensions for certain candidates who hold a Students with Disabilities Generalist certificate.

Need for Rule: To expand the pool of qualified teachers of students with disabilities and to extend the grade levels in which they can teach.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305, 3001, 3004, and 3009.

Part 80 HOUSE Teacher Certification Flexibility

Description of Rule: Teacher certification requirements for teachers who hold Students with Disabilities Generalist (7-12) certificate and teach in a special class.

Need for Rule: To create limited extensions for teachers holding a Students with Disabilities Generalist certificate who teach a special class in grades 7-12 and a statement of continued eligibility for teachers holding a Students with Disabilities Generalist certificate who teach a special class in grades 7-12 and were previously allowed to teach in another content area by school districts using the HOUSSSE rubric for federal aid purposes under the No Child Left Behind Act.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305, 3001, 3004, and 3009.

Sections 80-3.3 and 80-3.7 Individual Evaluation

Description of Rule: Individual evaluation pathway for teacher certification.

Need for Rule: To allow for individual evaluation in certain certificate titles.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305, 3001, 3004, and 3009.

Section 80-1.5 Library Media Specialists/EdTPA

Description of Rule: Safety Net for the revised library specialist teacher performance assessment.

Need for Rule: To establish a safety net for the library specialist teacher performance assessment.

Legal Basis for Rule: Education Law sections 207, 305, 3001, 3003, 3004, and 3009.

Section 80-1.5 Educational Technology Specialist Content Specialty Test Safety Net

Description of Rule: Reinstatement of the Educational Technology Specialists (ETS) Content Specialty Test (CST) safety net for candidates seeking certification.

Need for Rule: To allow candidates to take either the redeveloped CST or the predecessor CST.

Legal Basis for Rule: Education Law sections 207, 305, 3001, 3004, and 3009.

Section 80-3.16 Speech and Language Disabilities (SLD) Certificate

Description of Rule: Teacher certification in Speech and Language Disabilities (All Grades).

Need for Rule: To create a pathway allowing candidates who complete a speech-language pathology program accredited by the American Speech, Language, and Hearing Association (ASHA) to obtain an initial certificate in Speech and Language Disabilities (All Grades).

Legal Basis for Rule: Education Law sections 207, 305, 3001, 3003, 3004, and 3009.

Section 4-1.3 Institutional Accreditation

Description of Rule: Voluntary institutional accreditation for Title IV purposes.

Need for Rule: To require the agency to come into compliance within 12 months, and submit a compliance report 30 days after the 12 month period.

Legal Basis for Rule: Education Law sections 207, 210, 212, 214, 215, and 305.

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning any of the above proposed amendments by contacting:

William Murphy

Deputy Commissioner of Higher Education

New York State Education Department

Office of Higher Education

Room 975, Education Building Annex

89 Washington Avenue

Albany, New York 12234

(518) 402-3620

OHREGComments@nysed.gov

OFFICE OF THE PROFESSIONS

Section 70.10 CPA Mandatory Peer Review Program (sponsoring organization)

Description of Rule: Relates to the mandatory peer review program in public accountancy.

Need for Rule: To revise the requirements for sponsoring organizations who facilitate peer review programs in public accountancy.

Legal Basis for Rule: Education Law sections 207, 6504, 6507 and 7410.

Section 75.2 Speech Language Pathology Limited License

Description of Rule: Relates to limited license in speech-language pathology.

Need for Rule: To subject applicants who have been issued a limited license, to the same experience requirements as applicants for a license.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 6504 (not subdivided), 6507(2)(a), 8205-a and Chapter 202 of the Laws of 2017.

Section 76.5 Occupational Therapy Scope of Practice Definition

Description of Rule: Definition of occupational therapy practice.

Need for Rule: To conform the definition of occupational therapy practice to changes to Education Law § 7901 by Chapter 460 of the Laws of 2011.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 6504 (not subdivided), 6507(2)(a), 7901 and Chapter 460 of the Laws of 2011.

Sections 29.10, 70.7, 70.8, 70.10 CPA Review Exemption

Description of Rule: Mandatory peer review program in public accountancy.

Need for Rule: To eliminate the exemption from the program for sole proprietorship and firms with two or fewer accounting professionals.

Legal Basis for Rule: Education Law sections 207, 6507(2)(a), 7408, 7410, and Chapter 364 of the Laws of 2017.

Sections 29.2, 52.8, 79-20 Licensure of Pathologists Assistants

Description of Rule: Licensing of licensed pathologists' assistants.

Need for Rule: To establish the requirements for licensure including professional education, examination, fee, and limited permit requirements.

Legal Basis for Rule: Education Law sections 207, 212(3), 6504, 6507(2)(a), 6509(9), 8850, 8851, 8852, 8853, 8854, 8855, 8856, and Chapter 497 of the Laws of 2016.

Section 29.7 and 63.6 Biological Products

Description of Rule: Biological products in the profession of pharmacy.

Need for Rule: Establishes requirements for substitution of interchangeable biological products for prescribed products.

Legal Basis for Rule: Education Law sections 207, 6504, 6507(2)(a), 6802, 6810, and 6816-a, and Chapter 357 of the Laws of 2017.

Section 61.4 Dentists Licensure by Endorsement

Description of Rule: Endorsement requirements for licensure as a dentists.

Need for Rule: To permit dentists with licenses issued by a Canadian province to become licensed dentists in New York State by endorsement.

Legal Basis for Rule: Education Law section 207, 6504, 6506(6), 6507(2), and 6604(3).

Section 64.9 Advanced Home Health Aide

Description of Rule: Regulation of advanced home health aides (AHHAs).

Need for Rule: To implement the provisions of Chapter 471 of the Laws of 2016 relating to the regulation of AHHAs.

Legal Basis for Rule: Education Law sections 207, 212(3), 6504, 6507(2), 6906, 6908(2) and 6909(8) and Chapter 471 of the Laws of 2016.

Section 63.9 Pharmacist Vaccination

Description of Rule: The administration of certain vaccines by pharmacists.

Need for Rule: To implement the provisions of Part DD of Chapter 57 of the Laws of 2018 which permits pharmacists to administer certain vaccines.

Legal Basis for Rule: Education Law section 207, 6504, 6507(2), 6901(2), 6801(4), 6802(22), 6902(1), and 6909(7) and Part DD of Chapter 57 of the Laws of 2018.

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning any of the above proposed amendments by contacting:

Sarah S. Benson

Deputy Commissioner for the Professions

New York State Education Department

Office of the Professions

89 Washington Avenue

West Wing, Second Floor - Education Building

Albany, NY 12234

(518) 474-1431

opdepcom@nysed.gov

OFFICE OF CULTURAL EDUCATION

Sections 90.2 and 90.16 Library System

Description of Rule: Standards for registration of public, free association and Indian libraries.

Need for Rule: To revise the standards for registration of public, free association and Indian libraries and to implement Education Law § 273.

Legal Basis for Rule: Education Law sections 207, 208, 215, 253 through 268, 271, 272, 273, 273-a, and 282 through 285.

Mark Schaming

Deputy Commissioner for Cultural Education

State Education Department

Cultural Education Center

Room 10C34

Albany, NY 12230

(518) 474-5930

Mark.Schaming@nysed.gov

OFFICE OF ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)



## Part 126 BPSS Technical Changes

Description of Rule: Relates to the operation of licensed private career schools.

Need for Rule: To make technical amendments to Part 126 of the Commissioner's regulations relating to the operation or license private career schools.

Legal Basis for Rule: Education Law sections 101, 207, and 5001 through 5010.

## Part 147 Readers Aid

Description of Rule: Eligibility, funding and use of funds for the Readers Aid program.

Need for Rule: To implement Chapter 350 of the Laws of 2017 which provides for an expansion in eligibility, funding and use of the funds for the Readers Aid Program.

Legal Basis for Rule: Education Law sections 207, 305, and 4210 and Chapter 350 of the Laws of 2017.

## Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

Ceylane Meyers-Ruff

Assistant Commissioner

Office of Adult Career and Continuing Education Services

Room 575 EBA

89 Washington Avenue

Albany, New York 12234

(518) 474-2714

ACCESDeputy@nysed.gov

## B. CALENDAR YEAR 2017 (4 YEAR REVIEW)

The State Education Department did not adopt any rules in the year 2017 to be initially reviewed in 4 years.

## C. CALENDAR YEAR 2016 (5 YEAR REVIEW)

## OFFICE OF P-12 EDUCATION

## Section 100.5(h) Seal of Biliteracy

Description of Rule: New York State Seal of Biliteracy.

Need for Rule: To establish requirements for students to each a State Seal of Biliteracy.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 815(2)(b).

## 155.17 School Safety

Description of Rule: District-wide school safety plans and building-level emergency response plans.

Need for Rule: To implement the provisions of Part B of Chapter 54 of the Laws of 2016.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2) and 807 and 2801-a, as amended by Chapter 54 of the Laws of 2016.

## Section 100.19 Receivership/Community Schools

Description of Rule: Community school grants.

Need for Rule: To establish the criteria for community school grants to implement Chapter 53 of the Laws of 2016.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1) and (2), 211-f, as added by Part EE, Subpart H of Chapter 56 of the Laws of 2015 and Chapter 53 of the Laws of 2016.

## Section 100.5(a)(5) Graduation Requirements

Description of Rule: Social studies regents examinations.

Need for Rule: To provide additional pathway options for passing the social studies Regents examinations for a diploma.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308 (not subdivided), 309(not subdivided).

## Section 100.6 CDOS Assessment

Description of Rule: Assessments for the New York State Career

Development and Occupational Studies (CDSO) commencement credential.

Need for Rule: To establish conditions and procedures for approval of work-readiness assessments for the CDOS credential.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308 (not subdivided), 309(not subdivided).

## Section 200.18 Rate Setting

Description of Rule: Establishment of tuition rates.

Need for Rule: To clarify that the Education Department maintains discretion in establishing tuition rates based on a financial audit.

Legal Basis for Rule: Education Law 207, 4003, 4401, 4403, 4405, 4408 and 4410.

## Sections 100.5(d) and 200.4(d) Superintendent Determinations

Description of Rule: Superintendent determination as to academic proficiency for certain students with disabilities to graduate with a local diploma.

Need for Rule: To expand the safety net options for students with disabilities to graduate with local diplomas when certain conditions are met.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308 (not subdivided), 309(not subdivided), and 3204(3) and (4).

## Agency Representative:

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## OFFICE OF HIGHER EDUCATION

## Sections 100.2, 30-2, 30-3 APPR

Description of Rule: Annual professional performance reviews of classroom teachers and building principals.

Need for Rule: To implement Subparts D and E of Part EE of Chapters 20 and 56 of the Laws of 2015.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 215(not subdivided), 305(1) and (2), 3009(1), 3012-c(1-10) and section 3012-d(1-15), and Subparts D and E of Part EE of Chapters 20 and 56 of the Laws of 2015.

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## OFFICE OF THE PROFESSIONS

## Section 79-9.8 Mental Health Counseling CE

Description of Rule: Continuing education requirements for Licensed Mental Health Counselors.

Need for Rule: To implement mandatory continuing education requirements, establish standards for acceptable education and approval of providers.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 212 (3), 6504 (not subdivided), 6507(2)(a), and 8412, Chapter 486 of the Laws of 2013, and Chapter 15 of the Laws of 2014.

#### Section 79-10.8 Marriage & Family Therapy CE

Description of Rule: Continuing education requirements for Licensed Marriage and Family Therapists.

Need for Rule: To implement continuing education requirements, establish standards for acceptable education and approval of providers.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 212 (3), 6504 (not subdivided), 6507(2)(a), and 8412, Chapter 486 of the Laws of 2013, and Chapter 15 of the Laws of 2014.

#### Section 79-11.8 Creative Arts Therapy CE

Description of Rule: Continuing education requirements for Licensed Creative Arts Therapists.

Need for Rule: To implement mandatory continuing education requirements, establish standards for acceptable education and approval of providers.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 212 (3), 6504 (not subdivided), 6507(2)(a), and 8412, Chapter 486 of the Laws of 2013, and Chapter 15 of the Laws of 2014.

#### Section 79-12.8 Psychoanalysis CE

Description of Rule: Continuing education requirements for Licensed Psychoanalysts.

Need for Rule: To implement mandatory continuing education requirements, establish standards for acceptable education and approval of providers.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 212 (3), 6504 (not subdivided), 6507(2)(a), and 8412, Chapter 486 of the Laws of 2013, and Chapter 15 of the Laws of 2014.

#### Section 61.7 Dental Hygienists

Description of Rule: Licensing examination requirements for dental hygienists.

Need for Rule: To address a name-change by the testing agency for Part II of the licensing exam and to remove remedial education requirements.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 6504 (not subdivided), 6507(2)(a), 6606(1) and (2), 6608 (not subdivided), and 6609(4).

#### 63.10 Pharmacists Collaborative Drug Therapy Management

Description of Rule: Extension and expansion of the Collaborative Drug Therapy Management (CDTM) demonstration program for pharmacists.

Need for Rule: To implement Chapter 238 of the Laws of 2015 to extend and expand the CDTM program for pharmacists.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), and 6801-a of the Education Law, Chapter 238 of the Laws of 2015 and Chapter 21 of the Laws of 2011.

#### 64.7 TB Test Administration

Description of Rule: Execution by registered professional nurses of non-patient specific orders to administer tuberculosis tests.

Need for Rule: To authorize the administration of other tests to detect/screen for tuberculosis in addition to purified protein derivative (PPD) tests.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), 6527(6)(c), 6902(1), 6909(4)(c), and Chapter 464 of the Laws of 2015.

#### Section 71.3 Certified Shorthand Reporting Exam

Description of Rule: Licensing examination requirements for certified shorthand reporters.

Need for Rule: To permit the Department to accept a passing score on an exam determined by the State Board to be acceptable for licensure.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), 7501(not subdivided), and 7504(1).

#### Sections 29.3 and 52.46 and Part 68 Geology

Description of Rule: Licensure of Professional Geologists and Continuing Education for Land Surveyors.

Need for Rule: To establish the new profession of geology including licensure requirements, and to extend continuing education for land surveyors.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), 6509(9), 7200(not subdivided), 7204-a(not subdivided), 7204-b(not subdivided), 7206-b, 7205(not subdivided), 7207, 7208-a, 7209(1), (2) and (4), and Chapters 61 and 475 of the Laws of 2014 and Chapter 9 of the Laws of 2015.

#### Part 76 Occupational Therapy Assistants

Description of Rule: Licensure of Occupational Therapy Assistants (OTAs).

Need for Rule: To define the practice of OTAs, establish requirements for licensure, and alter the composition of the State Board.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), 7902-a, 7903, 7904-a, 7905(2), 7906(4), 7907 and Chapter 470 of the Laws of 2015.

#### Section 17.5(b) Pharmacy Disciplinary Consents

Description of Rule: Regulation of consent orders in disciplinary proceedings in the professions.

Need for Rule: To remove the requirement that the State Board of Pharmacy Executive Secretary agree to consent orders for pharmacists/pharmacies.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), 6509(9), 6510, and 6511(not subdivided).

#### Sections 29.2, 52.47, and 79-19 Perfusionists

Description of Rule: Licensure of Perfusionists.

Need for Rule: To establish licensure requirements for perfusionists, including education, experience and examination.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 212, 6504(not subdivided), 6507(2)(a), 6509(9), 6630, 6631, 6632, 6633, 6634, 6635, 6636 and Chapter 409 of the Laws of 2013.

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D. CALENDAR YEAR 2013 (3 YEAR INITIAL & 5 YEAR SUBSEQUENT REVIEW)

#### OFFICE OF P-12 EDUCATION

Section 100.8 Local Diploma Based on Experimental Programs

Description of Rule: Local high school equivalency diplomas based upon experimental programs.

Need for Rule: To extend until 6/30/15 the provision for awarding local high school equivalency diplomas based upon experimental programs.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 309(not subdivided) and 3204(3).

Sections 100.5(b)(7)(i), 100.6 & 200.5(a)(5)(iii) Career Development and Occupational Studies Credentials

Description of Rule: New York State Career Development and Occupational Studies Commencement Credential.

Need for Rule: To establish criteria for award of the Credential to students with disabilities.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 305(1) and (2), 4402(1 - 7) and 4403(3).

#### Section 119.7 Charter School Charter Renewals

Description of Rule: Charter school charter renewals.

Need for Rule: To clarify standards for charter renewals of charter schools for which the Board of Regents is the authorizing entity.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1), (2) and (20), 2851(4) and 2852(1), (2), (3), (5), (5-a), (5-b) and (6) and 2857(1).

#### Section 100.2(ee)(2) Academic Intervention Services (AIS)

Description of Rule: Academic Intervention Services (AIS).

Need for Rule: To establish modified requirements for AIS during the 2013-2014 school year.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

#### Section 135.4(c)(7)(ii)(d) Duration of Competition in High School Athletics

Description of Rule: Duration of competition in high school athletics.

Need for Rule: To eliminate the one additional season limit on waivers for students with disabilities to participate in athletic competition.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) & (2), 803(not subdivided), and 3204(2) & (3).

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#### OFFICE OF HIGHER EDUCATION

Sections 80-3.3, 80-3.4, 80-3.10, 80-5.13, 80-5.15 and 80-5.20(a)(1)(v) Teacher and School District Leader Certification Examinations

Description of Rule: Teacher and school district leader certification examinations.

Need for Rule: To adopt technical changes to the certification examination requirements for certain teachers and school district leaders.

Legal Basis for Rule: Education Law sections 207, 305(1), 3001(2), 3006(1)(b) and 3009(1).

Sections 80-1.2(b), 80-1.6 and 80-2.1(a)(2)(k) and (ii) Definition of Date of Issuance of Certificates and Expiration of Certain Permanent Certificates from Expired Provisionals

Description of Rule: Definition of date of issuance of certificates and expiration of certain permanent certificates from expired provisional certificates.

Need for Rule: To amend the definition of effective date of a certificate to allow persons to be employed in their certificate area on the date their certificate is issued, rather than the February 1 or September 1 following the issuance date of their certificates. The proposed amendment also establishes an expiration date of October 1, 2014 for the issuance of a permanent certificate in the classroom teaching service or school administrator and supervisory service for candidates with an expired provisional certificate.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 305(1), 3001(2), 3006(1)(b) and 3009(1).

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#### OFFICE OF THE PROFESSIONS

Sections 63.11 and 63.12 Interpretations and Translations for Prescription Drugs, Standardized Labeling and Patient-Centered Data Elements for Medications

Description of Rule: Interpretations and translation for prescription drugs, standardized labeling & patient-centered data elements for medications.

Need for Rule: To implement Part V of Chapter 57 of the Laws of 2012.

Legal Basis for Rule: Sections 207(not subdivided), 6504(not subdivided), 6507(2)(a), 6829(1), (6), (7) and 6830(1) of the Education Law, and Part V of Chapter 57 of the Laws of 2012.

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#### E. CALENDAR YEAR 2011 (5 YEAR REVIEW)

#### OFFICE OF P-12 EDUCATION

#### Section 100.2(ee)(2) Technical Amendment

Description of Rule: The purpose of the rule is to add language that was inadvertently omitted in a previous rule making.

Need for Rule: The rule is necessary because the rule concerning diploma credit for languages other than English (LOTE) and State assessments in Social Studies, that were adopted at the December 2010 Regents meeting (EDU-40-10-00022-A), inadvertently omitted language in section 100.2(ee)(2) that was added in a prior, separate amendment concerning Academic Intervention Services, that was permanently adopted at the October 2010 Regents meeting (EDU-31-10-00004-A). The rule is necessary to clarify and resolve this inconsistency by including the omitted language.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

#### Section 100.2(p)(14) Annual Measurable Objective

Description of Rule: Conforms the Commissioner's Regulations with recent amendments to New York State's accountability plan that reset New York's annual measurable objective (AMO) for grades 3-8 English language arts (ELA) and mathematics beginning in the 2010-11 school year, as prescribed in New York's approved accountability workbook.

Need for Rule: On February 14, 2011, Dr. Thelma Meléndez de Santa Ana, the Assistant Secretary of the Office of Elementary and Secondary Education of the United States Department of Education (USDE), informed Commissioner Steiner that USDE had approved



New York's request to amend its State accountability plan under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act (NCLB), to reset New York's AMO for grades 3-8 ELA and mathematics beginning in the 2010-11 school year, as prescribed in New York's approved accountability workbook. As a result, New York was approved to reset the AMO to a Performance Index of 122 for ELA and a Performance Index of 137 for mathematics for 2010-11, and with annual equal increments up to 200 by 2013-14, as prescribed in New York's approved accountability workbook.

In August 2010, the proficiency cut scores were raised on the grades 3-8 ELA and math assessments based on the analyses that associated college readiness with cut scores of between 75 and 85 on the Regents exams. Proficiency means students will be college ready if they are able to meet high school exit examination requirements and pass first year college courses in ELA and math without the need for remediation. The purpose of the rule is to conform the Commissioner's Regulations with New York State's approved amended accountability plan. Adoption of the rule is necessary in order for New York to smoothly transition to the higher achievement standards for grades 3-8 in ELA and mathematics.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 210(not subdivided), 215(not subdivided), 305(1), (2) and (20), 309(not subdivided) and 3713(1) and (2).

Section 100.5(b)(7)(v) Regents Advanced Diploma Math Requirements

Description of Rule: Revises the mathematics requirements for earning a Regents diploma with advanced designation.

Need for Rule: The rule is necessary to provide for additional options for students to meet the Mathematics assessment requirements leading to a Regents Diploma with Advanced Designation.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204.

Section 100.5(b)(7)(i) Local Diploma Appeals Process

Description of Rule: Clarifies an inconsistency in the Commissioner's Regulations relating to the award of Regents and local diplomas.

Need for Rule: The rule is necessary to resolve an inconsistency in the Commissioner's Regulations relating to Regents and local diplomas. Sections 100.5(b)(7) and 100.5(d)(7) are inconsistent in that 100.5(b)(7) does not allow for local diplomas, beginning with students who enter grade 9 in 2008, but 100.5(d)(7) permits students who first enter grade nine in September 2005 or thereafter to earn a local diploma through an appeals process as specified in the regulation. The rule would resolve this inconsistency by amending 100.5(b)(7)(i) to clarify that the local diploma option under 100.5(d)(5) continues to be available under the appeals process for general education students.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 210(not subdivided), 215(not subdivided), 305(1) and (2), and 309(not subdivided).

Section 100.5(d)(10) Online & Blended Course Credit

Description of Rule: Establishes criteria for awarding credit towards a Regents diploma for online and online/classroom coursework.

Need for Rule: The rule is necessary to establish criteria for awarding credit towards a Regents diploma for online and online/classroom coursework. Digital and Internet-connected technologies have increased access to a rich variety of educational opportunities, in the form of online content and instruction, for schools and students across New York State. These educational opportunities have resulted in a number of questions from school districts and educational organizations, and a need for the New York State Education Department (NYSED) to provide alternative pathways for school districts to provide students with opportunities to earn course credit through online instruction and content. A policy for awarding units of credit to students for their completion of online and blended courses is intended to provide guidance to public school districts and Boards of Cooperative Educational Services (BOCES) interested in offering new learn-

ing opportunities for students through online instruction. NYSED recognizes that concepts such as virtual learning, distance learning, online instruction, online courses, and online learning may have multiple meanings, which may evolve and change with the development of new technologies. This policy serves as an initial foundation for school districts and BOCES to develop, implement, and evaluate online and blended courses as alternative pathways for student completion of general education and diploma requirements.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Section 100.17 Distinguished Educator

Description of Rule: Prescribes requirements regarding appointment of distinguished educators to assist low-performing schools.

Need for Rule: The rule is necessary to implement Education Law §§ 211-c and 211-b by establishing criteria regarding the selection, roles, responsibilities, protocols and procedures, and expenses for distinguished educators.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), 211-b(1-5), 211-c(1-8) and section 1 of Part A of Chapter 57 of the Laws of 2007.

Section 119.5 Charter School Lottery

Description of Rule: Establishes procedures for the random selection process for Charter School student admissions required under Ed. L. 2854(2).

Need for Rule: The rule is necessary to establish procedures for the conduct of the random selection process for charter school admissions required under Education Law section 2854(2), as amended by Chapter 101 of the Laws of 2010, and to ensure that the process is performed in a transparent and equitable manner, consistent with the requirements of the statute.

Legal Basis for Rule: Education Law section 101(not subdivided), 206(not subdivided), 207(not subdivided), 305(1), (2) and (20) and 2854(2) and Chapter 101 of the Laws of 2010.

Section 155.17 School Safety Plans

Description of Rule: Amends the content requirements of each district-wide school safety plan and building-level school safety plan to reflect current confidentiality requirements and concerns.

Need for Rule: This rule is necessary to ensure that confidential information including the home telephone numbers of local education officials and the tactical strategies for responding to critical events such as building evacuation and sheltering are not disclosed to the public. The rule will also reinforce the strategies related to the public availability of strategic plans for responding to certain emergencies in schools, as well as the public availability of key information related to certain information about each educational agency located in the school district.

Legal Basis for Rule: Sections 207, 305, and 2801-a of the Education Law.

Section 156.3(b) & (h) MR School Transportation

Description of Rule: The purpose of the rule is to provide mandate relief through increased scheduling flexibility and by repealing certain monitoring/reporting requirements.

Need for Rule: The rule is necessary to amend section 156.3(b)(5)(iii) to provide mandate relief to school districts and afford greater flexibility to school bus drivers to complete required semi-annual school bus driver safety training, by allowing the training to be scheduled coincidental with other professional development days scheduled during the year.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), (2) and (20), 3624(not subdivided) and 3637(1), (2) and (3).

Section 155.6 MR School Facilities Report Card

Description of Rule: The purpose of the rule is to repeal the requirement that school districts and BOCES prepare school facility report cards.

Need for Rule: The rule is necessary to reduce costs and provide mandate relief to school districts and boards of cooperative educational



services (BOCES), by repealing section 155.6 of the Commissioner's Regulations to eliminate a requirement that school districts and BOCES prepare a school facility report card for each occupied school building.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), (2) and (20), 409-d(1-3) and 409-e(1-4).

Section 200.1 & 200.4 "Intellectual Disability" Name Change

Description of Rule: Conforms the Commissioner's regulations to federal and State terminology changes for Special Education Programs and Services for Students with Disabilities.

Need for Rule: The rule is necessary to conform the Regulations of the Commissioner of Education to be consistent with a recent terminology change in federal law, by replacing the term "mental retardation" with "intellectual disability" in the Commissioner's Regulations.

The rule also makes technical revisions to replace the term "Commissioner of Mental Retardation and Developmental Disabilities" with "Commissioner of the Office for People With Developmental Disabilities" to conform to a recent State statutory change of name of the Office of Mental Retardation and Developmental Disabilities to the Office for People With Developmental Disabilities (OPWDD).

Legal Basis for Rule: Education Law sections 207, 305(1), (2) and (20), 4402 and 4403(3).

Parts 275 & 276 Charter School Co-location Appeals

Description of Rule: Establishes special procedures for appeals relating to New York City charter school location/co-location and building usage plans.

Need for Rule: The amendment is necessary to implement Chapter 101 of the Laws of 2010 by establishing procedures for expedited appeals relating to New York City charter school location/co-location and building usage plans brought pursuant to Education Law §§ 310 and 2853(3)(a-5).

Legal Basis for Rule: Education Law §§ 101, 207, 305(1) and (2), 310(1) and (7), 311 and 2853(3)(a-5) and § 15 of Chapter 101 of the Laws of 2010.

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OFFICE OF HIGHER EDUCATION

Section 27-1.1 HEOP

Description of Rule: The purpose of the rule is to update criteria for determining student economic eligibility for the Higher Education Opportunity Program.

Need for Rule: The rule is needed in order to update criteria for determining student economic eligibility for the Higher Education Opportunity Program by: (1) taking into account inflationary conditions and changes in annual income; (2) accounting for New York State and local taxes and regional maintenance costs; (3) assuring consistency across the State-supported postsecondary opportunity programs; and (4) maintaining the continuing linkage of these eligibility criteria with federally approved methods of needs analysis.

The amendment updates the existing definition of "economically disadvantaged," which has become outdated because of inflationary factors. The rule is also needed to update the definition of an independent student, to be more consistent with the federal definition of independent student for purposes of the needs analysis for federal student financial aid programs.

Legal Basis for Rule: Education Law Sections 207 and 6451(1).

Subpart 30-1 Instructional Support Services

Description of Rule: Creates a new tenure areas for teachers performing instruction support services in boards of cooperative educational services.

Need for Rule: The rule is necessary to create new tenure areas for teachers performing instruction support services in boards of cooperative educational services.

Legal Basis for Rule: Section 207(not subdivided) of the Education Law.

Section 52.21(b)(5) Teacher Prep Pilot Program (MAT Degree)

Description of Rule: Clinically rich graduate level teacher preparation program.

Need for Rule: To amend the degree conferring requirements of the pilot program to provide program providers with flexibility to confer degrees.

Legal Basis for Rule: Education Laws Sections 207(not subdivided), 208(not subdivided), 210(not subdivided), 214(not subdivided), 216(not subdivided), 224(1), 305(1), (2) and (7), 3004(1) and 3006(1).

Section 52.21(c)(7) Principal Prep Pilot Program (Clinical Experience)

Description of Rule: Clinically rich graduate level principal preparation program.

Need for Rule: To amend the clinical experience requirement to provide program providers with the flexibility they need to be innovative.

Legal Basis for Rule: Education Law Sections 207, 208, 210, 214, 216, 224, 305(1), (2) and (7), 3004(1) and 3006(1).

Part 80-STEM Expedited Pathway

Description of Rule: Provides an expedited pathway for candidates with an advanced degree in STEM areas and postsecondary teaching experience.

Need for Rule: The rule is necessary to establish a transitional G certificate to create a mechanism for schools to employ applicants with a graduate degree or higher in science, technology, engineering or mathematics, and two years of experience teaching at the college level in the same area as the certificate requested, or in a closely related field as determined by the Commissioner, to address demonstrated shortage areas in these subjects.

Legal Basis for Rule: Education Law 207(not subdivided), 305(1) and (2), 3001(2), 3004(1) and (6) and 3006(1)(b).

Section 80-1.6 Teacher Certification Extensions (Residency)

Description of Rule: Extends the time validity of provisional or initial teacher certificates for those who have met all requirements except citizenship.

Need for Rule: The rule establishes a means for extending the time validity of Provisional or Initial certificates for those individuals who have met all academic, testing and experience requirements for Permanent or Professional certification, and are unable to receive such certification due to USCIS processing delays. The rule is needed to maintain the employment of experienced teachers and is in the interest of the New York State public schools and students.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 305(1) and (2), 3001(2), 3004(1) and 3006(1).

Section 80-3.7 Individual Evaluation

Description of Rule: Extends the expiration date for applicants seeking certification in the classroom teaching service through the individual evaluation pathway.

Need for Rule: The rule was necessary to extend the expiration date for applicants seeking certification through the individual evaluation pathway in all classroom titles except childhood education from February 1, 2012 to September 1, 2013, thus extending the time that the individual evaluation pathway remains available for these applicants. In 2003, the Board of Regents established requirements for teacher certification through the individual evaluation of candidates who have not completed registered teacher education programs. Under the individual evaluation pathway, candidates are required to submit evidence

of course work and field experience to the State Education Department for evaluation and issuance of the certificate. The rule was therefore critical to facilitate the Department's continuing ability to certify a sufficient number of properly qualified candidates to fill vacant teaching positions in the State's public schools.

Legal Basis for Rule: Education Law Sections 207(not subdivided), 305(1), 3001(2), 3004(1), and 3006(1)(b) and (2).

#### Section 80-4.3 Teacher Certification Flexibility

Description of Rule: Provides teacher certification flexibility if it would provide for a more efficient operation of the school district or BOCES.

Need for Rule: The rule is necessary to provide teacher certification flexibility if it would provide for a more efficient operation of the school district or BOCES.

In 2010, the Board of Regents adopted an amendment to section 80-4.3 of the Commissioner's regulations to provide school districts and BOCES with flexibility in certification when there was a demonstrated immediate fiscal crisis and the certification flexibility would avoid a reduction in force. The amendment eliminates the requirement that districts or BOCES demonstrate an immediate fiscal crisis or a reduction in force. The employing entity would only need to demonstrate that the certification flexibility would provide for a more efficient operation of the school district or BOCES. The amendment also eliminated a sunset provision in the prior regulation.

Legal Basis for Rule: Education Law sections 207, 3001, 3004(1).

#### Section 87.5 Employment Clearances Due Process Procedures

Description of Rule: Amends section 87.5(a)(5) of the Commissioner's Regulations to conform the Regulations of the Commissioner of Education to changes in the internal organization of the State Education Department by replacing references in the regulation to specific staff titles with the terms "designee of the Commissioner" or "Commissioner's designee," and thereby provide flexibility in responding to future changes in the internal organization of the Department, and avoid the necessity of amending the regulation each time such changes occur.

Need for Rule: The amendment is necessary to conform the Regulations of the Commissioner of Education to changes in the internal organization of the State Education Department. Under the prior Commissioner's Regulation [8 NYCRR section 87.5(a)(5)], Department determinations denying clearance for employment to prospective school employees and certification applicants may be appealed to the Assistant Commissioner of the Office of Teaching Initiatives (or, in one instance, to the executive director of such Office). The rule will replace references to the specific staff titles with the terms "designee of the Commissioner" or "Commissioner's designee." The rule thereby provides flexibility in responding to future changes in the internal organization of the Department, and avoids the necessity of amending the regulation each time such changes occur.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), (2) and (30), and 3035(3).

#### Section 100.2, Subpart 30-2 Teacher and Principal Evaluations

Description of Rule: Establishes requirements for conducting annual professional performance reviews of classroom teachers and building principals pursuant to Education Law section 3012-c.

Need for Rule: The rule is necessary to establish requirements for conducting annual professional performance reviews of classroom teachers and building principals. Education Law section 3012-c establishes a comprehensive evaluation system for classroom teachers and building principals. Although a new Education Law section 3012-d has been enacted to establish a revised comprehensive evaluation system for classroom teachers and building principals effective with the 2015-2016 school year, many school districts and BOCES are continuing to conduct annual professional performance reviews pursuant to Education Law section 3012-c while they complete the collective negotiations needed to implement section 3012-d. Therefore, the provisions of Subpart 30-2 continue to be needed.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 215(not subdivided), 305(1) and (2), and 3012-c(1) - (8), as added by Chapter 103 of the Laws of 2010.

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#### OFFICE OF THE PROFESSIONS

Sections 3.2, & 60.2 Oversight Committee for Clinical Clerkships

Description of Rule: Establishes an Advisory Committee on Long-Term Clinical Clerkships to recommend standards for placement of students into long-term clinical clerkships in New York.

Need for Rule: The rule is necessary to establish an Advisory Committee that would provide advice on matters related to the evaluation and approval of dual-campus international medical schools seeking authorization to place students in long-term clinical clerkships in New York State.

Legal Basis for Rule: Education Law sections 207(not subdivided), 6506(4), 6507(2) and (4) and 6508(1).

#### Section 29.7 Customized Packaging of Prescription Drugs

Description of Rule: Authorizes pharmacists to repackaging drugs in customized patient packaging provided that certain requirements are met.

Need for Rule: The rule is necessary to authorize medications to be repackaged in customized patient medication packages, with the consent of the patient, the patient's caregiver, or the prescriber. The rule would encourage patient compliance with complex medication protocols.

Legal Basis for Rule: Education Law sections 207, 6504, 6506(1), 6508(1), 6509(9) and 6510(1).

#### Sections 29.10, 70.7, 70.8 CPA Practice Privilege

Description of Rule: Implements Chapter 456 of the Laws of 2011 which establishes a practice privilege provision to permit practice in New York by certain CPAs licensed in other states.

Need for Rule: The rule is needed to implement Chapter 456 of the Laws of 2011. The new law repeals a statutory provision which enabled certain certified public accountants (CPAs) licensed in states other than New York to provide attest and compilation services in this state on a temporary and limited basis. It also repeals a provision which authorized certain out-of-state CPAs to provide non-attest services in New York. In lieu of these provisions, Chapter 456 establishes a practice privilege provision to permit practice in New York by certain CPAs licensed in other states.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 6504 (not subdivided), 6506(1), 6507(2)(a), Chapter 456 of the Laws of 2011.

#### Sections 29.19 & 79-5 Midwifery

Description of Rule: Removes unnecessary provisions and conforms the practice of midwifery to current law.

Need for Rule: The rule is necessary to conform the Commissioner's regulations with current statute, and to update educational requirements for licensure as a midwife, in response to increasingly independent practice by licensed midwives.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 6504 (not subdivided), 6507(2)(a), 6508(1) and 6509(9).

#### Section 59.14 Mental Health Corporate Practice Waivers

Description of Rule: Waiver of corporate professional practice restrictions for certain Mental Health professions to conform Commissioner's Regulations to Education Law section 6503-a, as amended by Ch. 187, L. 2011.

**Need for Rule:** Chapter 130 of the Laws of 2010 added a new Education Law section 6503-a, which authorizes the Department to issue waivers of the corporate professional practice restrictions to certain not-for-profit or educational corporations that were in existence on the effective date of the law and that apply for the waiver by a specified deadline. Chapter 187 of the Laws of 2011 amended Education Law section 6503-a to extend the time during which waiver applications can be submitted until February 1, 2012. The corporation could continue to provide services until the application is approved or denied, but if an application was denied by the Department, the entity had to cease providing professional services in New York.

The amendment of section 59.14 of the Commissioner's regulations was necessary to conform to the Commissioner's regulations to Education Law section 6503-a, as amended by Chapter 187 of the Laws of 2011. Consistent with the statute, the amendment merely extended to February 1, 2012 the date by which certain not-for-profit corporations and education corporations must apply for a waiver from corporate professional practice restrictions in the Education Law.

**Legal Basis for Rule:** Education Law sections 207(not subdivided), 6503-a(1)(a) and (c), 6504(not subdivided), 6507(2)(a), and Chapter 187 of the Laws of 2011.

**Section 62.8 Veterinarian and Veterinary Technicians Continuing Education**

**Description of Rule:** Implements statutory authority requiring continuing education for licensed veterinarians and veterinary technicians.

**Need for Rule:** The rule implements sections 6704-a and 6711-b of the Education Law, enacted by Chapter 328 of the Laws of 2010, which established mandatory continuing education requirements for veterinarians and veterinary technicians licensed in this State. The rule is necessary to implement these statutorily mandated continuing education requirements.

**Legal Basis for Rule:** Education Law sections 207, 6504, 6506, 6507(2)(a), 6704-a, and 6711-b, and Chapter 328 of the Laws of 2010.

**Sections 63.7 & 63.10 Collaborative Drug Therapy Management**

**Description of Rule:** The purpose of the rule is to establish requirements to implement the Collaborative Drug Management Therapy Demonstration Program.

**Need for Rule:** The rule is necessary to implement Chapter 21 of the Laws of 2011, which established the Collaborative Drug Therapy Management (CDTM) Demonstration Program, which continues to operate.

**Legal Basis for Rule:** Education Law sections 207(not subdivided), 6801(1-a), 6507, 6801-a(1-6) and 6827(2) of the Education Law and Chapter 21 of the Laws of 2011.

**Sections 68.11 and 68.12 Engineering continuing education**

**Description of Rule:** Requires mandatory continuing education in ethics for Engineers and Land Surveyors.

**Need for Rule:** The amendments to sections 68.11(c)(1)(i) and 68.12(c)(1)(i) of the Regulations of the Commissioner are necessary to require mandatory continuing education in ethics for Engineers and Land Surveyors. This rule more closely aligns the New York State requirements for mandatory continuing education with current national standards established by the National Council of Examiners for Engineering and Surveying.

**Legal Basis for Rule:** Education Law Sections 207 (not subdivided), 6504 (not subdivided), 6507 (2)(a), 7211(4) and 7212(4).

**Section 70.9(b)(5) Public Accountancy Continuing Education**

**Description of Rule:** Requires the completion of continuing education requirements in ethics for Certified Public Accountants (CPA's) and Public Accountants (PA's) to be calculated on a calendar year basis.

**Need for Rule:** The current ethics continuing education requirement is aligned with the licensees' month of birth thereby creating thirty-six separate reporting periods over the three year registration period. The rule is needed to align the ethics continuing education requirement with the calendar year reporting requirement contained in § 7409 of the Education Law, as amended by chapter 651 of the Laws of 2008.

**Legal Basis for Rule:** Education Law Sections 207 (not subdivided), 6501 (not subdivided), 6502 (not subdivided), 6504 (not subdivided), 6507 (not subdivided), 6508 (not subdivided) and 7409 (not subdivided).

**Section 78.5 Massage Therapy**

**Description of Rule:** Implements statutory authority requiring continuing education for licensed massage therapists.

**Need for Rule:** The rule is necessary to implement section 7807 of the Education Law, enacted by Chapter 463 of the Laws of 2010, which prescribes mandatory continuing education requirements for individuals licensed in the practice of massage therapy. The rule was necessary to implement these statutorily mandated continuing education requirements.

**Legal Basis for Rule:** Sections 207 (not subdivided), 6504 (not subdivided), 6507(2)(a) and 7807(2) of the Education Law, and section 2 of Chapter 463 of the Laws of 2010.

**Agency Representative:**

Information may be obtained, and written comments may be submitted, concerning any of the above proposed amendments by contacting:

Sarah S. Benson

Deputy Commissioner for the Professions

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OFFICE OF CULTURAL EDUCATION

Section 3.27 Deaccessioning

**Description of Rule:** Clarifies restrictions on the deaccessioning of items and materials in collections held by museums and historical societies.

**Need for Rule:** The rule is necessary to implement Regents policy to protect the public's interest in collections held by chartered museums and historical societies. Specifically, the amendment clarifies restrictions on the deaccessioning of items and materials in an institution's collections, consistent with generally accepted professional and ethical standards within the museum and historical society communities.

**Legal Basis for Rule:** Education Law sections 101(not subdivided), 207(not subdivided), 215(not subdivided), 216(not subdivided) and 217(not subdivided).

**Agency Representative:**

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

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**OFFICE OF ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)**

**Section 100.8 Local High School Equivalency Diploma Experimental Program**

**Description of Rule:** Extends until June 30, 2012 the provision for awarding local high school equivalency diplomas based upon experimental programs.

**Need for Rule:** The rule is necessary to implement Regents policy to extend for one year the provision in section 100.8 of the Commissioner's Regulations that allows boards of education and BOCES to



award local high school equivalency diplomas based upon experimental programs approved by the Commissioner. The extension will allow the continuance in New York State of the National External Diploma Program (NEDP), which is a complete assessment program that allows adults over age 21 to demonstrate and document the lasting outcomes and transferable skills for which a high school diploma is awarded. The one year extension ensures that all current NEDP students in the approximately 20 program sites across the State are provided with an opportunity to complete their programs and earn a local high school equivalency diploma.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 309(not subdivided) and 3204(3).

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

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OFFICE OF MANAGEMENT SERVICES

Section 3.8 Executive Deputy Commissioner

Description of Rule: Designates the Executive Deputy Commissioner as Deputy Commissioner of Education pursuant to Education Law section 101.

Need for Rule: The rule is necessary to conform the Rules of the Board of Regents to changes made in the internal organization of the State Education Department, relating to the designation of the Executive Deputy Commissioner as the deputy commissioner of education specified in Education Law section 101, who shall exercise the duties of the Commissioner of Education in his absence or disability, or when a vacancy exists in the office of Commissioner.

Legal Basis for Rule: Education Law section 101(not subdivided).

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

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Assistant Counsel

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F. CALENDAR YEAR 2006

OFFICE OF P-12 EDUCATION

Sections 170.12, 170.2 and 170.3 of the Commissioner's regulations, regarding school district financial accountability

Description of rule: Establishes criteria for claims auditor, financial training for school district officers, internal audit function, request for proposals (RFP) process for contracting for annual audit, audit committees and annual audits.

Need for rule: the rule is needed to implement Chapter 263 of the Laws of 2005. The rule establishes systems and processes that provide for transparency and accountability in the conduct of district business, strengthens oversight, and increases accountability.

Legal basis for rule: Education Law sections 207(not subdivided), 215(not subdivided), 305(1) and (2), 1604(35), 1709(20-a), 1711(2)(e), 1950(4)(k), 2102-a(1) through (4), 2116-a(3), 2116-b(1) through (7), 2116-c(1) through (9), 2117(1), 2503(5), 2508(5),

2509(4), 2523(2), 2524(1), 2525(1) and (2), 2526(1), (1-a) and (2), 2527(not subdivided), 2554(2-a), 2562(2), 2566(6), 2573(4), 2576(1)(a), 2580(2) and 3713(1) and (2), and Chapter 263 of the Laws of 2005.

Section 175.5 of the Commissioner's Regulations, regarding length of school day

Description of rule: Amends section 175.5(b) of the Commissioner's Regulations to provide that the minimum daily sessions lengths set forth in section 175.5(a), for purposes of determining State aid, shall not apply to school days during which Regents examinations have been scheduled.

Need for rule: Pursuant to section 175.5(a) of the Commissioner's Regulations, in order for a school day to be counted for State aid purposes, students in Grades 7 through 12 must attend school for a minimum of five and one-half hours. Subdivision (b) of section 175.5 allows an exception to this rule where a school day of less than five and one-half hours is conducted because of certain circumstances specified in the subdivision. The proposed amendment to section 175.5(b) would add the scheduling of Regents examinations to the list of permissible circumstances allowing an exception.

As a result, schools would be able to count for State aid purposes a school day that includes a half-day Regents Examination session. In addition, the Department would be able to provide school districts and boards of cooperative educational services (BOCES) with a more flexible Regents examination schedule that minimizes the number of instances in which general education students and students with disabilities might be expected to take two examinations required for a diploma on the same day.

Legal basis for rule: Education Law sections 207(not subdivided) and 3602(1)(d).

Section 100.2(c) of the Commissioner's Regulations, regarding instruction in life safety

Description of rule: Establishes State learning requirements for injury prevention and life safety education.

Need for rule: To conform the Commissioner's Regulations to Chapter 242 of the Laws of 2005, by requiring the addition of a course of instruction in injury prevention and life safety education to existing curricula.

Legal basis for rule: Education Law sections 101 (not subdivided), 207(not subdivided), 305(1) and (2), 308 (not subdivided), 309 (not subdivided), 808(1) and 3204(3).

Section 100.5 of the Commissioner's Regulations, regarding mathematics graduation and diploma requirements

Description of rule: Revises mathematics graduation and diploma requirements consistent with policy adopted by the New York State Board of Regents.

Need for rule: The rule is necessary to implement revisions to the commencement level mathematics graduation and diploma requirements to align with the revised high school performance indicators for the following three mathematics courses: Integrated Algebra, Geometry, and Algebra 2 and Trigonometry.

Legal basis for rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Sections 19.5, 200.1, 200.4, 200.7 and 200.22 of the Commissioner's Regulations, regarding aversive behavioral intervention

Description of rule: Establishes standards for behavioral interventions, including a prohibition on the use of aversive interventions; to provide for a child-specific exception to the prohibition on the use of aversive interventions; and to establish standards for programs using aversive interventions.

Need for rule: the rule is necessary to establish standards for behavioral interventions, including a prohibition on use of aversive behavioral interventions (ABIs); to provide for a child specific exception; and to establish standards for programs using ABIs. The rule ensures that ABIs are used only when necessary; in accordance with research-based practices; under conditions of minimal intensity and duration to accomplish their purpose; and in accordance with the highest standards of oversight and monitoring.



Legal basis for rule: Education Law sections 207(not subdivided), 210(not subdivided), 305(1), (2) and (20), 4401(2), 4402(1), 4403(3) and 4410(13).

Section 100.2(gg) of the Commissioner's Regulations, regarding uniform violent and disruptive incident reporting

Description of rule: Provides a ranking, standard for reporting, and more concise definition of reportable offenses as required by the uniform violent and disruptive incident reporting system for the reporting of incidents by school districts, BOCES, charter schools and county vocational education and extension boards, as required by Education Law section 2802, and to establish the use of a school violence index as a comparative measure of the level of school violence in a school.

Need for rule: The rule is necessary to provide a ranking, standard for reporting, and more concise definition of reportable offenses as required by the uniform violent and disruptive incident reporting system for the reporting of incidents by school districts, BOCES, charter schools and county vocational education and extension boards, as required by Education Law section 2802, and thereby assure to the extent practicable that the reports are uniform and comparable throughout the State with respect to the type of incidents reported and the actions taken in response to such incidents.

Legal basis for rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 2801(1) and 2802(2),(3),(4) and (6) and Chapter 402 of the Laws of 2005.

Section 100.2(p) of the Commissioner's Regulations, regarding school accountability

Description of rule: Conforms the Commissioner's Regulations with New York's approved NCLB accountability plan by: (1) modifying the School Performance Index to incorporate the results from New York's grade 3-8 assessment program in English language arts and mathematics; (2) revising the Annual Measurable Objectives in English language arts and mathematics to reflect the use of grade 3-8 test results; (3) combining the elementary and secondary science criteria into a single combined elementary-middle level science criterion; (4) revising the definition of the graduation cohort beginning with the 2003 graduation cohort to make schools accountable for students after they received five months of instruction in a school or district; (5) incorporating in the limited English proficient (LEP) subgroup students who had previously been considered LEP students during the prior one or two years in order to calculate Adequate Yearly Progress; (6) restricting the use of backmapping to schools serving exclusively students below grade three; (7) revising the timelines for schools and local educational agencies whose 2006-2007 accountability status is dependent on 2005-2006 grade 3-8 assessment results to take certain actions required of schools and local educational agencies identified as requiring academic progress or as in need of improvement; (8) indicating that the NYSESLAT will no longer be administered, in lieu of the required State assessment in English language arts, for accountability purposes beyond the 2005-2006 school year; and (9) restricting the use of the NYSESLAT, for participation rate purposes, to limited English proficient students who have attended school in the United States (not including Puerto Rico) for one year.

Need for rule: the rule establishes criteria and procedures to ensure State and local educational agency compliance with the provisions of the federal Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001 relating to academic standards and school/district accountability. While the Elementary and Secondary Education Act has been subsequently amended by the Every Student Succeeds Act or ESSA, and the Department has added section 100.21 to the Commissioner's regulations to implement the Department's ESSA accountability system, section 100.21 provides that the provisions of such section shall apply in lieu of the provisions of section 100.2(p)(1) through (11) and (14) through (16) during the period the Elementary and Secondary Education Act, as amended by ESSA is effective. Therefore, the amendments to section 100.2(p) of the Commissioner's regulations are still necessary.

Legal basis for rule: Education Law sections 101(not subdivided), 207(not subdivided), 210(not subdivided), 215(not subdivided), 305(1), (2) and (20), 309(not subdivided) and 3713(1) and (2).

Agency Representative:

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OFFICE OF HIGHER EDUCATION

Section 80-1.7 of the Commissioner's Regulations, regarding renewal of provisional certificate

Description of rule: Restores the opportunity for candidates to renew expired provisional certificates in the pupil personnel service and in the title school administrator and supervisor (authorizing service as a school building level administrator) and establish requirements for the renewal of these certificates.

Need for rule: To provide individuals holding such expired provisional certificates a one-time opportunity to renew these certificates for a five-year term to enable them to meet the experience requirement for the permanent certificate. The opportunity to renew provisional certificates was removed effective February 2, 2004. The Department believes that this opportunity should be restored because otherwise these individuals have no way to qualify for employment in the public schools for the purpose of meeting the experience requirement for the permanent certificate.

The rule also addresses regional shortages of school principals and pupil personnel professionals by expanding the pool of qualified candidates for such positions.

Legal basis for rule: Education Law sections 207(not subdivided); 305(1) and (7); 3001(2); 3004(1); 3006(1)(b); and 3009(1).

Section 80-5.6 of the Commissioner's Regulations, regarding teaching assistants

Description of rule: Establishes requirements for the certification of teaching assistants for service in the State's public schools.

Need for rule: To extend the validity of the entry-level certificate for teaching assistants, the Level I teaching assistant certificate, from one to three years. The rule is needed to allow holders of the Level I teaching assistant additional time to meet the experience and education requirements for the level II teaching assistant certificate.

The rule also establishes a new requirement for the renewal of the level I certificate: the candidate must submit to the State Education Department adequate evidence substantiating that the candidate has a commitment for employment in a teaching assistant position under the level I teaching assistant certificate. These changes allow candidates who were unable to find employment during the first term of the level I certificate, or have decided to delay entry into this field, the opportunity to obtain employment and meet the experience requirement for the level II certificate. It also ensures that candidates for the renewed level I certificate will be on track for meeting the experience requirement for the level II certificate.

The rule is needed to strengthen the education requirement for the level II teaching assistant certificate. After February 1, 2007, the candidate must have completed a total of nine semester hours of collegiate study for this certificate, instead of the current requirement of six semester hours. Candidates will have sufficient time to complete the additional coursework because of the change in the duration of the level I certificate.

The rule also increases the validity period of the level II teaching assistant certificate from two to three years in order to give candidates additional time to earn the remaining semester hours of collegiate study required for the level III teaching assistant certificate.

Finally, the rule is needed to clarify that the education requirement for each certificate level may be met by completing collegiate

coursework creditable to an associate degree, as well as the baccalaureate degree. This is needed because teaching assistants often attend two-year colleges, which do not offer baccalaureate study.

Legal basis for rule: Education Law sections 207(not subdivided); 305(1), (2), and (7); 3001(2); 3004(1); 3006(1)(b); and 3009(1) and (2).

Section 7.1 of the Regents Rules and sections 52.21, 80-2, 80-3 & 80-5 of the Commissioner's Regulations, regarding certification in educational leadership

Description of rule: Establishes requirements for the certification of school administrators for service in New York State public schools.

Need for rule: To strengthen requirements that candidates must meet in order to be certified as school building leaders, school district leaders, and school district business leaders for service in New York State public schools.

Legal basis for rule: Education Law sections 207(not subdivided); 210(not subdivided); 305(1), (2), and (7); 3001(2); 3003(1), (3), and (5); 3004(1); 3006(1)(b); 3007(2); 3009(1); and 3604(8).

Section 52.21 of the Commissioner's Regulations, regarding accreditation of teacher preparation programs

Description of rule: Defines limited conditions under which registered teacher education programs leading to certification in the classroom teaching service may receive from the State Education Department a deferral of the date by which they must be accredited.

Need for rule: To provide the Department with regulatory flexibility to accommodate sound teacher preparation programs that demonstrate the ability to earn accreditation within the short term. The amendment is intended to provide needed flexibility to permit programs to address deficiencies, thereby limiting disruptions to students while helping to ensure improvements in program quality.

Legal basis for rule: Education Law sections 207(not subdivided); 210(not subdivided); 215(not subdivided); 305(1) and (2); 3001(2); and 3004(1).

Sections 3.46 & 3.58 of the Regents Rules, regarding proprietary colleges

Description of rule: Establishes requirements that a for-profit institution must meet for Regents authorization to confer degrees and that a prospective owner of a proprietary college must meet to obtain Regents consent to the transfer of the degree-conferring authority of the institution, and to establish requirements for the revocation and surrender of degree-conferring authority at proprietary colleges.

Need for rule: To strengthen the Regents and State Education Department's oversight of proprietary colleges, thereby helping to ensure high standards of academic quality at these institutions. The rule is needed in order to establish a procedure by which the State Education Department and the Regents will monitor and assess the on-going capacity of the new degree-granting proprietary college, before it is granted permanent authority to confer degrees. The rule is also needed to establish circumstances and procedures under which the Board of Regents may revoke or limit the degree-conferring authority of a proprietary college and procedures for the surrender of such degree-conferring authority. Finally, it is needed to establish institutional responsibilities upon the cessation of degree-granting authority.

Legal basis for rule: Education Law sections 207(not subdivided); 210(not subdivided); 215(not subdivided); 216(not subdivided); 218(1) and (2); 224(1)(a) and (b); and section 137 of Chapter 82 of the Laws of 1995.

Agency Representative:

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OFFICE OF THE PROFESSIONS

Sections 61.2 & 61.18 of the Commissioner's Regulations, regarding dental licensure

Description of rule: Establishes requirements relating to examination and residency programs for dental licensure.

Need for rule: To implement the requirements of Education Law section 6604(3) and (4) by requiring applicants for dental licensure to complete an accredited dental residency program and eliminating the option of their completing a clinical examination in dentistry instead of a residency program, effective January 1, 2007, to establish a definition of an acceptable national accrediting body for dental residency programs, and to add two specialties to the list of specialty residency programs that may be used to fulfill the residency program requirement for dental licensure.

Legal basis for rule: Sections 207(not subdivided); 6506(1); 6507(2)(a); 6601(not subdivided); 6604(3) and (4) of the Education Law; and Section (3) of Chapter 76 of the Laws of 2004.

Section 71.3 of the Commissioner's Regulations, regarding certified shorthand reporting

Description of rule: Makes a change in an examination requirement for licensure in certified shorthand reporting to partially eliminate the option that permits a candidate to transcribe shorthand notes in longhand during the examination, preserving the option only in the event the candidate's transcription equipment fails or malfunctions during the examination.

Need for rule: To align examination requirements with standard practice in this field, which requires certified shorthand reporters to produce transcripts of their shorthand notes through the use of typewriters or other transcription equipment.

Legal basis for rule: Education Law sections 207(not subdivided); 6504 (not subdivided); 6506(1); 6507(2)(a) and (3)(a); and 7504(4).

Section 29.10 of the Regents Rules, regarding unprofessional conduct in accountancy

Description of rule: Revises the definition of unprofessional conduct in accountancy by updating the names of entities that promulgate generally accepted auditing standards and generally accepted accounting principles, establishing reporting requirements, and setting forth definitions of unprofessional conduct based upon actions of the United States Securities and Exchange Commission (SEC) or the Public Company Accounting Oversight Board (PCAOB).

Need for rule: To align the regulation of the public accountancy profession in New York State with Federal laws and regulations and contemporary professional practice.

Legal basis for rule: Education Law sections 207(not subdivided); 6502(1) and (3-a); 6504(not subdivided); 6506(1); 6509(9); 6510(8); and 7401 (not subdivided).

Sections 52.36, 52.37, 52.38, 79-13, 79-14 and 79.15 of the Commissioner's Regulations, regarding clinical laboratory technology practitioners

Description of rule: Adds new sections 52.36, 52.37, and 52.38, and new Subparts 79-13, 79-14, and 79-15, relating to licensure as a clinical laboratory technologist and as a cytotechnologist and certification as a clinical laboratory technician.

Need for rule: To implement the provisions of Article 165 of the Education Law by establishing requirements for licensure as a clinical laboratory technologist or cytotechnologist and for certification as a clinical laboratory technician, requirements for limited permits in these fields, and standards for registered college preparation programs for these professions.

Legal basis for rule: Education Law sections 207 (not subdivided); 210 (not subdivided); 212(3); 6501 (not subdivided); 6504(not subdivided); 6507(2)(a), (3)(a), and (4)(a); 6508(1); 8605(1)(b) and (c) and (2) (b) and (c); 8606(2) and (3); 8607(1) and (2); and 8608.

Section 64.4 of the Commissioner's Regulations, regarding nurse practitioner

Description of rule: Phases out alternative criteria for certification in an additional specialty area of practice and requires candidates to complete the standard requirements for certification, which include completion of a registered master's degree or advanced certificate program in the area of specialty, or its equivalent; or certification as a nurse practitioner in the specialty area by a national certifying body acceptable to the Department.

Need for rule: To close what was intended to be a limited window of opportunity for nurse practitioners to qualify for certification in additional specialty areas through completion of 60 hours of continuing education in the specialty area and 1,000 hours of clinical practice in the specialty. These requirements were designed primarily to provide a route to certification in another specialty area of practice for certified nurse practitioners who were employed in the specialty area of practice before the effective date of this licensed profession. The objective was to provide experienced nurse practitioners a route to certification in another specialty area without requiring them to return to college to complete a master's degree or advanced certificate program in the specialty area. The Department believes that this option is no longer needed and that this change will strengthen the educational preparation of certified nurse practitioners.

The rule also makes several minor technical changes in the regulation, correcting the terminology for the titles "physician assistant" and "midwife" and a lettering error.

Legal basis for rule: Education Law sections 207(not subdivided); 6504(not subdivided); 6507(2)(a) and (3)(a); 6902(3)(a); and 6910(1)(c) and (5).

Section 79-1.5 of the Commissioner's Regulations, regarding landscape architecture

Description of rule: Establishes continuing education requirements that licensed landscape architects must complete to be registered to practice this profession in New York State and requirements for the approval of sponsors of such continuing education.

Need for rule: To clarify and implement the requirements of Education Law section 7328, as added by Chapter 683 of the Laws of 2005. As required by statute, the proposed regulation is also needed to establish continuing education requirements when there is a lapse in practice, requirements for licensees under conditional registration, and standards for the approval of sponsors of continuing education to licensed landscape architects. In addition, the regulation is needed to establish a fee for the review by the State Education Department of sponsors of courses of learning or educational activities in order to defray the cost of such review.

Legal basis for rule: Education Law sections 207(not subdivided); 212(3); 6504(not subdivided); 6507(2)(a); and 7328(1), (2), (3), (4), (5), and (6).

Sections 52.13, 70.1 and 70.4 of the Commissioner's Regulations, regarding public accountancy education and endorsement

Description of rule: Revises requirements for college programs leading to licensure in public accountancy, makes changes in the education requirements that applicants for licensure as a certified public accountant must meet, and revises requirements for licensure in this field through the endorsement of an out-of-state license.

Need for rule: To delete a 60 semester-hour liberal arts and sciences requirement for such registered programs, and instead permit the registered programs to provide liberal arts and sciences coursework in accordance with the requirements of Regents Rules for the type of degree conferred. The Department believes that this change provides accountants with sufficient liberal and sciences preparation, and removes a barrier to licensure for certified public accountants who are licensed in other states and have completed out-of-state programs, most of which do not include a similar liberal arts and sciences coursework requirement.

The rule also removes a requirement in the registered licensure-qualifying programs for a course in quantitative measurements or methods. This specific requirement does not exist in the education requirements for licensure in most other states. As a result, this

requirement has been a barrier to licensure in New York State. The State Board for Public Accountancy has approved this change.

The rule makes a clarifying change in the requirements specifying content requirements for registered 150-semester hour programs leading to licensure. The language clarifies that the subjects listed under each content area must be completed in curricular content, meaning that the subjects may be provided in individual courses or within the curricular content of several courses. This change is needed to ensure that colleges have the flexibility to structure their registered programs as they see fit, provided that the prescribed subject matter is covered.

The rule also permits an applicant to meet the education requirement for licensure by completing an accountancy program that is accredited by an acceptable accrediting agency. The regulation defines an acceptable accrediting agency as an agency that has accreditation standards that are substantially equivalent to the requirements in Commissioner's Regulations for registered programs leading to licensure, among other requirements. This change eases access to licensure in New York State for applicants who have completed out-of-state accredited programs, streamlines the licensure process, and expedites the processing of licensure applications. It saves staff time because the Department no longer has to compare the course content of out-of-state programs to registered New York State programs, if the programs are accredited by an acceptable accrediting agency that the Department has already determined to have substantially equivalent standards to New York's.

The rule also changes requirements for the endorsement of an out-of-state license in this field. The rule changes the experience requirement for applicants who do not meet the regular education and/or experience requirement for licensure. It reduces from five years to four years in the preceding 10 years the number of years of professional experience that such an applicant for licensure through the endorsement of an out-of-state license must have. This is needed to ease access to licensure in New York State for experienced certified public accountants who are licensed in other jurisdictions. The change is consistent with the standard included in the Uniform Accountancy Act of the American Institute for Certified Public Accountants and the National Association of State Boards of Accountancy and with the experience requirement prescribed by many other jurisdictions for the endorsement of an out-of-state license.

Legal basis for rule: Education Law sections 207(not subdivided); 210(not subdivided), 6506(1) and (6); 6507(2)(a), (3)(a), and (4)(a); and 7404 (1)(2) and (2).

Sections 29.17 and 77.9 of the Commissioner's Regulations, regarding physical therapy

Description of rule: Implements the requirements of section 6731(d) of the Education Law by defining the experience requirement that a licensed physical therapist must meet to provide treatment without a referral, clarifying the content of the notice of advice provided to a patient prior to treatment without a referral, and establishing a definition of unprofessional conduct relating to such practice.

The rule establishes requirements that licensed physical therapists must meet in order to provide treatment without a referral and to provide uniformity and consistency in the information that must be contained in the written notice provided to a patient. The rule also establishes an additional definition of unprofessional practice in the practice of physical therapy: failing to meet the requirements of subdivision (d) of section 6731 of the Education Law and/or section 77.9 of the Commissioner's Regulations.

Need for rule: the rule is needed to implement the requirements of Education Law section 6731(d) by defining the experience requirement that a licensed physical therapist must meet to provide treatment without a referral, clarifying the content of the notice of advice provided to a patient prior to treatment without a referral, and establishing a definition of unprofessional conduct relating to such practice.

Legal basis for rule: Education Law sections 207(not subdivided); 6504(not subdivided), 6506(1), 6507(2)(a), 6509(9), and 6731(d).

Agency Representative:

Information may be obtained, and written comments may be



submitted, concerning any of the above proposed amendments by contacting:

Sarah S. Benson  
Deputy Commissioner for the Professions  
New York State Education Department  
Office of the Professions  
89 Washington Avenue  
West Wing, Second Floor - Education Building  
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(518) 474-1431  
opdepcom@nysed.gov  
OFFICE OF CULTURAL EDUCATION

Sections 185.5, 185.13 and 185.14 of the Commissioner's Regulations, regarding records retention

Description of rule: the rule substantially revises schedules CO-2 and MI-1 since they were last issued in 2002. The major revisions in both schedules are new Community College sections appearing in each, authorizing the disposition of records held by New York's community colleges. In addition to updating the community college sections of the two schedules, other sections in Schedules CO-2 and MI-1 have also been updated based on changes to record keeping systems since the 2002 editions.

Need for rule: To make necessary changes and additions in order to update Records Retention and Disposition Schedule CO-2 and Records Retention and Disposition Schedule MI-1.

Legal basis for rule: Education Law sections 207 (not subdivided) and Arts and Cultural Affairs Law section 57.25(2).

Section 90.12 of the Commissioner's Regulations, regarding State aid for library construction

Description of rule: Prescribes eligibility requirements and criteria for applications for state aid for library construction, and conforms the Commissioner's Regulations to changes to Education Law section 273-a.

Need for rule: To ensure that the Commissioner's Regulations are in compliance with changes to Education Law section 273-a. Chapter 572 of the Laws of 2003 amended section 273-a to change the funding year from one year to three years and the payment year from 'January 1 through December 31' to 'July 1 through June 30.' Section 4 of Part O of Chapter 57 of the Laws of 2005 amended section 273-a to change the payment schedule from a 50/40/10 percent basis to a 90/10 percent basis. The rule also permits libraries greater flexibility in applying for grant funds. Projects that are not completed but are more than 60 percent complete are now eligible for funding. Projects that will not be ready to start for up to 180 days are now eligible for funding, as opposed to 90 days previously.

Legal basis for rule: Education Law sections 207(not subdivided), 215(not subdivided) and 273-a(5) and section 1 of Chapter 53 of the Laws of 2006.

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the above proposed amendment by contacting:

Lauren Moore  
Assistant Commissioner for Libraries and State Librarian  
New York State Education Department  
New York State Library  
Room 10C34  
Albany, NY 12230  
(518) 474-5930  
Lauren.Moore@nysed.gov

OFFICE OF OPERATIONS AND MANAGEMENT SERVICES

Section 3.2 of the Regents Rules, regarding Quality Committee name and responsibilities

Description of rule: Revised the provision on Regents standing committees to replace the Committee on Quality with a new Committee on Policy Integration and Innovation.

Need for rule: To conform the Regents Rules with changes to the committee structure of the Board of Regents.

Legal basis for rule: Education Law section 207(not subdivided).

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

Julia Patane  
Assistant Counsel  
Office of Counsel  
State Education Building Room 112  
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G. CALENDAR YEAR 2001  
OFFICE OF P-12 EDUCATION

Section 7.1 of the Regents Rules and section 135.4 of the Commissioner's Regulations, regarding professional coaching certificates

Description of Rule: Section 7.1 of the Regents Rules and section 135.4 of the Commissioner's Regulations establish a professional coaching certificate that is valid for three years to a candidate who has completed the first aid requirements as set forth in section 135.4 of the Commissioner's Regulations and three course requirements established for coaching by the State Education Department, and has a minimum of three years coaching experience in a specific sport in a New York State interschool athletic program. The professional coaching certificate may be renewed for an additional three-year period if the candidate meets the requirements of section 135.4 and has received a satisfactory evaluation by the principal or athletic director for each of the preceding three years that the candidate coached in the specific sport.

Need for Rule: To comply with Regents policy. The rule provides flexibility to school districts to hire the most qualified candidates for interschool athletic coaching positions and to create a stable pool of qualified non-teacher coaching candidates to offset decreases in qualified certified teacher coaching candidates caused by teacher retirements.

Legal Basis for Rule: Education Law sections 101, 207, 212(3), 305(1) and (2), 803(5), 3006(1)(b) and (2)(a)(iii) and 3204(2).

Part 57 and section 100.2(dd)(2) of the Commissioner's Regulations, regarding training in school violence prevention and intervention

Description of Rule: Part 57 and section 100.2(dd)(2) of the Commissioner's Regulations establish standards for Department approval of providers of coursework or training in school violence prevention and intervention and require school districts and BOCES to include in their professional development plans provisions for training of employees holding a teaching certificate or license in the classroom teaching service, school service, or administrative and supervisory service in school violence prevention and intervention.

Need for Rule: To comply with the Safe Schools Against Violence in Education Act signed into law in July 2000. The rule establishes standards for Department approval of providers of course work or training in school violence prevention, and requires school districts to include such training in their professional development plans.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2) and 3004(3) and section 9 of Chapter 181 of the Laws of 2000.

Section 100.2(gg), (bb) and (cc) of the Commissioner's Regulations, regarding the Uniform Violent Incident Reporting System

Description of Rule: Section 100.2(gg), (bb) and (cc) of the Commissioner's Regulations establishes a Uniform Violent Incident Reporting System for the reporting of violent or disruptive incidents by school districts, BOCES and county vocational education and extension boards; prescribes the manner by which a summary of information provided in the annual report on violent and disruptive incidents submitted to the Commissioner concerning these incidents will be incorporated in school district and BOCES report cards; and



provides for the confidentiality of all personally identifiable information to ensure that any such information which is collected is used only for its intended purpose.

**Need for Rule:** To implement Chapter 181 of the Laws of 2000 which requires the Commissioner of Education, in conjunction with the division of criminal justice services to establish a statewide uniform violent incident reporting system which public school districts, boards of cooperative educational services, and county vocational education and extension boards shall follow.

**Legal Basis for Rule:** Education Law sections 101, 207, 305(1) and (2) and 2802(2), (3), (4) and (6) and section 5 of Chapter 181 of the Laws of 2000.

Section 100.2(hh) of the Commissioner's Regulations, regarding reporting of Child Abuse in an educational setting

**Description of Rule:** Section 100.2(hh) of the Commissioner's Regulations requires school administrators and superintendents, upon receipt of a written report alleging that a child has been abused in an educational setting, to promptly provide the parent of the child with a written statement setting forth parental rights, responsibilities and procedures, and requires each school district and BOCES to establish and implement on an ongoing basis a training program regarding the procedures for reporting of child abuse in an educational setting for all current and new teachers, school nurses, school counselors, school psychologists, school social workers, school administrators, other personnel required to hold a teaching or administrative certificate or license, and school board members. Section 100.2(hh) of the Commissioner's Regulations was further modified to clarify that charter schools must also comply with these provisions.

**Need for Rule:** the rule is necessary to implement Chapter 180 of the Laws of 2000.

**Legal Basis for Rule:** Education Law sections 101, 207, 305(1) and (2), 1125(6), 1128(1), (2) and (3), 1128-a(1) and (2), 1132(2) and 3028-b and sections 12 and 13 of Chapter 180 of the Laws of 2000.

Section 100.5 and 100.2 of the Commissioner's Regulations, regarding Career and Technical Education programs and high school diploma requirements

**Description of Rule:** Section 100.5 and 100.2 of the Commissioner's Regulations create a process of program approval for career and technical education programs that will allow flexibility in the attainment of graduation requirements; provide for a diploma with a technical endorsement to be awarded to students who successfully complete certain requirements, including an industry-developed technical assessment of skills in a specific technical field; and correct technical errors concerning the units of credit for mathematics to meet graduation requirements.

**Need for Rule:** To implement Regents policy. The rule establishes criteria by which school districts and BOCES may operate career and technical education programs approved by the Commissioner and award high school diplomas to students who successfully complete such programs. Approved programs will provide students pursuing career and technical education programs with flexibility in attaining required units of credit for graduation and will provide for a technical endorsement on a Regents diploma, Regents diploma with advanced designation or a local diploma upon completion of an approved program. The rule is also necessary to correct certain technical errors concerning the units of credit requirement for mathematics and certain citation errors.

**Legal Basis for Rule:** Education Law sections 101, 207, 208, 209, 215, 305(1) and (2), 308, 309 and 3204(3).

Section 100.5(a)(5) and (b)(7) of the Commissioner's Regulations, regarding the State assessment system and diploma requirements for students with disabilities

**Description of Rule:** Section 100.5(a)(5) and (b)(7) of the Commissioner's Regulations extended for four years the existing provisions that permit students with disabilities who enter grade nine in or after September 2001 and prior to September 2005, and who fail one or more of the Regents examinations in English, mathematics, United States history and government, global history and geography, and science required for high school graduation, to meet local diploma

requirements by passing the respective Regents Competency Tests or their equivalent in these subject areas.

**Need for Rule:** To implement Regents policy relating to State learning standards, State assessments and graduation and diploma requirements, to provide additional time to gather data on how students with disabilities are performing on required Regents examinations, including the effect of multiple tests, to increase the participation of students with disabilities in the general education curriculum, and to study the impact of academic intervention services for these students. The Board of Regents has since amended such section to extend the applicability to students entering grade 9 in or after September 2001 and prior to September 2011.

In July 2005, the Board of Regents adopted an amendment to section 100.5 to provide an additional safety net for all students with disabilities entering grade 9 in the 2005-06 school year, by allowing students with disabilities to meet local diploma requirements by achieving a passing score of 55-64 on the five required Regents examinations to meet local diploma requirements. In October 2016, the Board of Regents adopted an amendment to section 100.5 to provide an additional safety net for all students with disabilities entering grade 9 in 2005-06 school year, by allowing students with disabilities to meet local diploma requirements by compensating a score of 45-54 on a Regents examination with a score of 65 or higher on another required Regents examination provided certain conditions are met.

**Legal Basis for Rule:** Education Law sections 101, 207, 208, 209, 305(1) and (2), 308, 309, 3204(3) and 4403(3).

Section 104.1 of the Commissioner's Regulations, regarding pupil attendance recordkeeping

**Description of Rule:** Section 104.1 of the Commissioner's Regulations requires each school district, BOCES, charter school, and county vocational educational extension board to adopt a comprehensive attendance policy; keep records of each pupil's presence, absence, tardiness and early departure in a register of attendance; record attendance of students in non-departmentalized kindergarten through grade 8 once per school day; record attendance in each period of scheduled instruction of students in grades 9-12 or in departmentalized schools at any grade level; record absences as excused or unexcused; establish local policy regarding student attendance and the awarding of course credit; annual review student attendance records and make revisions to the comprehensive attendance policy that are deemed necessary; and provide parents or persons in parental relation a summary of the attendance policy and each teacher with a copy of the attendance policy.

**Need for Rule:** To implement Regents policy to ensure effective school attendance programs by requiring that schools collect data through accurate attendance recordkeeping, and analyze attendance data to identify individual and group patterns so as to provide programs and services that will assist each student to successfully meet higher academic standards.

**Legal Basis for Rule:** Education Law sections 101, 207, 305(1) and (2), 3024, 3205(1), (2) and (3), 3210(1) and (2) and 3211(1).

Section 155.22 of the Commissioner's Regulations, regarding Qualified Zone Academy Bonds

**Description of Rule:** the rule establishes procedures for the reallocation of unused or unclaimed State limitation amount allocations of Qualified Zone Academy Bonds (QZABs).

**Need for Rule:** the rule is needed to establish a method for the Commissioner to reallocate any unused or unclaimed amounts of the State limitation amount for the issuance of QZABs so that such amounts may be applied towards qualified projects who otherwise would not be eligible to receive them. The federal Tax Cuts and Jobs Act (Pub. L. No. 115-97 (2017)) repealed the authority to issue tax credit bonds, including Qualified Zone Academy Bonds, after December 31, 2017, therefore this rule is no longer needed and can be repealed.

**Legal Basis for Rule:** Education Law sections 101, 207, 305(1) and (2) and 26 USC section 1397E.

Section 155.23 of the Commissioner's Regulations, regarding multi-year cost allowance for school district building aid

**Description of Rule:** Section 155.23 of the Commissioner's Regula-

tions establishes the methodology school districts and BOCES must apply when establishing a multi-year cost allowance for computation of building aid and the procedures to appeal the determination.

**Need for Rule:** To comply with chapter 60 of the Laws of 2000, which requires the Commissioner to promulgate regulations prescribing the methodology for establishing a multi-year cost allowance for the purpose of computation of building aid to school districts and to establish procedures for school districts to appeal a determination that a building has not been adequately maintained.

**Legal Basis for Rule:** Education Law sections 207 and 3602(6) and section 5 of Part A of Chapter 60 of the Laws of 2000.

Section 155.24 of the Commissioner's Regulations, regarding school pesticide neighbor notification

**Description of Rule:** Section 155.24 of the Commissioner's Regulations requires public school districts, nonpublic elementary and secondary schools, and BOCES to establish a pesticide notification procedure to provide information to staff who regularly work at school facilities, and to persons in parental relation to children regularly receiving instruction at school facilities, to inform them that pesticide products may be used periodically throughout the school year and how to register to receive 48-hour advance notification of certain applications. The rule also establishes a procedure for individuals to notify the State Education Department of any school's failure to comply with these requirements and authorizes the Commissioner to withhold State aid if schools fail to adopt notification procedures or otherwise fail to implement these requirements.

**Need for Rule:** the rule is necessary to implement Education Law section 409-h, as added by Chapter 285 of the Laws of 2000, by establishing the process by which the statute is implemented, including provisions relating to State notification and withholding of State aid with respect to a school's noncompliance with the statute.

**Legal Basis for Rule:** Education Law sections 101, 207, 305(1) and (2), 409(1) and 409-h(1) - (3) and section 6 of Chapter 285 of the Laws of 2000.

Sections 168.1, 168.2 and 168.6 of the Commissioner's Regulations, regarding Employment Preparation Education programs

**Description of Rule:** Sections 168.1, 168.2 and 168.6 of the Commissioner's Regulations establish criteria by which failure to demonstrate basic educational competencies is to be determined for the purpose of determining Employment Preparation Education Aid to enable school districts and BOCES to provide educational services to adults with limited basic skills who have previously been precluded for participating in the program.

**Need for Rule:** the rule is necessary to comply with section 23 of Chapter 60 of the Laws of 2000, as amended by section 15 of Part A of Chapter 57 of the Laws of 2007.

**Legal Basis for Rule:** Education Law sections 101, 207 and 3602(11)(a-1).

Section 170.3(k) of the Commissioner's Regulations, regarding career education instructional equipment reserve fund

**Description of Rule:** Section 170.3(k) of the Commissioner's Regulations establishes procedures for the establishment, use, maintenance and liquidation of BOCES career education instructional equipment reserve funds.

**Need for Rule:** the rule is necessary to be consistent with Education Law section 1950(4)(ee).

**Legal Basis for Rule:** Education Law sections 207 and 1950(4)(ee).

Section 175.10 of the Commissioner's Regulations, regarding statute of limitations on State aid payments

**Description of Rule:** Section 175.10 of the Commissioner's Regulations changes the requirement for submitting claims for building aid so that it is consistent with other statute of limitation requirements for all State aid claims.

**Need for Rule:** To eliminate an inconsistency for submission of State aid claims for building aid, by requiring more timely annual submissions, consistent with current statute of limitation requirements for other State aid claims.

**Legal Basis for Rule:** Education Law sections 207 and 3602(6).

Sections 200.1, 200.2, 200.5 and 200.21 of the Commissioner's Regulations, regarding the impartial hearing process for students with disabilities

**Description of Rule:** Establishes requirements relating to the impartial hearing process for students with disabilities, including the qualifications of impartial hearing officers, procedures for the appointment of an impartial hearing officer, procedures to conduct the hearing, data reporting requirements and procedures for the suspension or revocation of the impartial hearing officer determination.

**Need for Rule:** To ensure that impartial hearings are conducted in a timely manner consistent with Federal requirements by individuals who have the necessary and appropriate procedural and content knowledge and background to conduct an impartial hearing related to special education.

**Legal Basis for Rule:** Education Law sections 101, 207, 4403(3), 4404(1) and 4410(13).

Sections 200.1-200.7, 200.13, 200.16, 201.7, 201.11, 276.1 and 100.6 of the Commissioner's Regulations, regarding conforming and technical amendments to implement IDEA

**Description of Rule:** the rule relates to definitions; board of education responsibilities; membership on Committees on Special Education; procedures for referral, evaluation, Individualized Education Program (IEP) development, placement and review; due process procedures; continuum of services; students with disabilities being educated in private schools and State operated or State supported schools; educational programs for students with autism; educational programs for preschool students with disabilities; general procedures for suspensions and removals of students with disabilities; expedited due process hearings; procedures for appeals to the State Review Office; rules of practice; and local certificates.

**Legal Basis for Rule:** Education Law sections 101, 207, 3214(3), 4403(3) and (20), 4404(1) and (2) and 4410(13).

Sections 200.2 and 200.5 of the Commissioner's Regulations, regarding procedures for appointment of impartial hearing officers

**Description of Rule:** the rule establishes the time period for the board of education to appoint the impartial hearing officer and to ensure the State Education Department has the data to monitor the initiation and completion of impartial hearings.

**Need for Rule:** the rule is necessary to ensure the timely conduct of impartial hearings as required by the federal Individuals with Disabilities Education Act.

**Legal Basis for Rule:** Education Law sections 101, 207, 4403(3), 4404(1) and 4410(13).

Sections 200.4 and 200.7 of the Commissioner's Regulations, regarding technical amendments to conform to State and federal requirements

**Description of Rule:** Section 200.4(a) was amended to require that a referral include a written description of the interventions and strategies used to remediate the student's performance prior to referral. The rule also provides that the building administrator may request a meeting with the parents to determine if the referred student would benefit from other services designed to meet the learning needs of the student while maintaining the student in general education. Section 200.4(d)(2)(iv) and section 200.7(d)(1)(ii) were amended to correct certain cross citations.

**Need for Rule:** the rule is needed to conform the Commissioner's Regulations to State and federal requirements and to correct certain cross citations.

**Legal Basis for Rule:** Education Law sections 101, 207, 4401-a(2) and 4403(3).

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning any of the above proposed amendments by contacting:

Kimberly Young Wilkins  
Deputy Commissioner for P12 Instructional Support  
New York State Education Department  
Room 875, Education Building Annex

89 Washington Avenue  
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(518) 486-1954  
nysedp12@nysed.gov

OFFICE OF HIGHER EDUCATION

Section 3.12(d), Part 4, section 13.1 of the Regents Rules and Subpart 145-8 of the Commissioner's Regulations, regarding voluntary institutional accreditation for Title IV purposes

Description of Rule: Establishes standards and procedures that must be met by institutions of higher education that voluntarily seek institutional accreditation by the Commissioner of Education and the Board of Regents for purposes of Title IV of the Higher Education Act of 1965, as amended, and deletes unnecessary provisions in the Rules of the Board of Regents and the Commissioner's Regulations.

Need for Rule: To establish standards consistent with federal requirements to ensure that institutions that are accredited by the Commissioner of Education and the Board of Regents, for purposes of their participation in Title IV federal student aid programs, are quality institutions. The rule also removed unnecessary provisions in the Regents Rules relating to the role of the State Education Department as a State Postsecondary Review Entity. This role does not exist because the federal law authorizing the designation of such entities was not reauthorized. Section 13.1 and Subpart 145-9 were subsequently repealed in a separate rule making, effective July 4, 2001.

Legal Basis for Rule: Education Law sections 207, 210, 214, 215 and 305(2).

Sections 4.2 and 4.5 of the Regents Rules, regarding voluntary institutional accreditation for Title IV purposes

Description of Rule: the rule clarifies the accreditation actions that may be taken pursuant to a voluntary institutional accreditation review of an institution of higher education for Title IV purposes, shortens timeframes for such review, and adds a new appeal procedure.

Need for Rule: the rule is needed to specify the accreditation actions that result from a review of an institution of higher education for Title IV purposes by the Commissioner and Board of Regents, to define the term "accreditation with conditions", to ensure that reviews are completed within a reasonable time period, and to comply with federal requirements for appeals of review determinations. Subparts 4.2 and 4.5 were renumbered to 4-1.2 and 4-5.2 pursuant to a separate rulemaking filed April 2002 and made effective May 16, 2002.

Legal Basis for Rule: Education Law sections 207, 210, 214 and 215.

Sections 52.21, 80-1.2 and 80-5.13 of the Commissioner's Regulations, regarding requirements for alternative teacher certification program

Description of Rule: Establishes alternative teacher certification programs.

Section 52.21(b)(3)(xvi) establishes the authority for the Commissioner of Education to register teacher preparation programs leading to professional certificates for individuals, including career changers and others, holding transitional C certificates and appropriate graduate academic or graduate professional degrees.

Section 52.21(b)(3)(xvii) establishes the authority for the Commissioner of Education to register teacher preparation programs leading to initial/professional certificates for individuals, including career changers and recent college graduates, who will begin teaching under transitional B certificates.

Section 80-1.2 establishes the authority for the Commissioner of Education to issue transitional certificates as of September 1, 2004.

Section 80-5.13 establishes the requirements for the "Transitional B" certificate. The Transitional B certificate is issued to candidates enrolled in alternative teacher education programs registered under section 52.21. Valid for three years, the Transitional B certificate leads to the first regular, or initial certificate, upon completion of the program.

Need for Rule: To increase the number of qualified individuals who will be attracted to teaching careers, improve the teacher preparation and mentoring provided through alternative teacher certification

programs, and to extend the period of validity of transitional B certificates.

Legal Basis for Rule: Education Law sections 207, 210, 215, 305(1), (2) and (7), 3004(1) and 3006(1).

Section 80-1.11 and Part 87 of the Commissioner's Regulations, regarding fingerprinting and criminal history check of prospective school employees and applicants for teaching certification

Description of Rule: Establishes requirements and procedures for the fingerprinting and criminal history record check of prospective school employees and applicants for teaching certification in order to implement the requirements of Chapter 180 of the Laws of 2000.

Need for Rule: the rule is necessary to implement Chapter 180 of the Laws of 2000 to set forth requirements and procedures for fingerprinting and criminal history record checks of prospective school employees. The rule establishes requirements for applicants for certification, as well as the requirements for school employer's vis-à-vis prospective school employees. It also describes the Department's obligations with respect to issuing clearances for employment as well as due process considerations for individuals who may be denied clearance for employment. Additionally, the rule outlines the process for notifying school employers about subsequent arrests. Finally, it sets forth the fee amount, who is obligated to pay the fee, and sets forth the rules surrounding the destruction of an individual's criminal history record.

Legal Basis for Rule: Education Law sections 207, 305(3)(a) and (b), 1604(39) and (40), 1709(39) and (40), 1804(9) and (10), 1950(4), (11) and (mm), 2503(18) and (19), 2554(25) and (26), 2854(3)(a-2) and (a-3), 3004-b(1) and (2), 3004-c, 3035(1), (3) and (4) and Chapter 180 of the Laws of 2000.

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

William P. Murphy  
Deputy Commissioner for Higher Education  
New York State Education Department  
Office of Higher Education  
Room 975, Education Building Annex  
89 Washington Avenue  
Albany, New York 12234  
(518) 4402-3620

OHEREGComments@nysed.gov

OFFICE OF THE PROFESSIONS

Sections 52.30, 74.1, 74.2, 74.4 and 74.5 of the Commissioner's Regulations, regarding standards for licensure qualifying social work programs

Description of Rule: Establishes standards for licensure qualifying programs in social work, education and examination requirements for licensure, requirements for applicants for limited permits to practice as a certified social worker (CSW), and requirements that must be met by certified social workers to qualify for reimbursement under certain group health insurance policies for psychotherapy services.

Need for Rule: To establish such standards to ensure the quality of social work programs that are registered or seeking registration, to set criteria to measure the acceptability of social work programs offered outside the United States and its territories, to allow certain master's degree programs, within limitations, to permit students to use advanced standing credit for meeting their requirements, to ensure that candidates have adequate educational preparation prior to taking the licensing examination, to enable an applicant who has met the education requirement in substance to obtain employment in the social work field, and to clarify supervised experience requirements that must be met to qualify for reimbursement under certain group health insurance policies for psychotherapy services.

Legal Basis for Rule: Education Law sections 207, 210, 6504, 6507(1),(2)(a), and (4)(a); 6508(1); 7703, 7704(2) and (4), 7705 and Insurance Law sections 3221(l)(4)(A) and (D) and 4303(i) and (n).



Section 71.3 of the Commissioner's Regulations, regarding examination requirement for licensure as a certified shorthand reporter

Description of Rule: Changes the examination requirement for licensure as a certified shorthand reporter to reduce the amount of time the candidate must take dictation and to permit candidates to use transcription equipment to transcribe dictation.

Need for Rule: To conform to realistic testing requirements for the dictation portion of the licensure test, as recommended by the State Board for Certified Shorthand Reporting. The rule is also needed to update the examination to reflect current widespread use of computer assisted dictation equipment in the practice of certified shorthand reporter.

Legal Basis for Rule: Education Law sections 207, 6504, 6507(1), (2)(a) and (3)(a), 6508(1) and (2), 7503 and 7504(4).

Section 75.4 of the Commissioner's Regulations, regarding mandatory continuing competency for speech-language pathologists and audiologists

Description of Rule: Establishes continuing competency requirements and standards that licensed speech-language pathologists and/or audiologists must meet to be registered to practice in New York State and requirements for sponsors of continuing education.

Need for Rule: To clarify and implement the requirements of Education Law section 8209, as added by Chapter 266 of the Laws of 2000.

Legal Basis for Rule: Education Law sections 207, 212(3), 6502(1), 6504, 6507(2)(a), 6508(1) and 8209(1)(a), (b) and (c), (2), (3), (4), (5) and (6) and Chapter 266 of the Laws of 2000.

Agency representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

Sarah S. Benson  
Deputy Commissioner for the Professions  
New York State Education Department  
Office of the Professions  
89 Washington Avenue  
West Wing, Second Floor - Education Building  
Albany, NY 12234  
(518) 474-1431  
opdepcom@nysed.gov

OFFICE OF ADULT CAREER AND CONTINUING EDUCATION SERVICES

Part 247 of the Commissioner's Regulations, regarding conforming and technical amendments pertaining to the vocational rehabilitation program

Description of Rule: Enacts technical changes to conform the Commissioner's Regulations relating to the State vocational rehabilitation program to Title I of the Rehabilitation Act and the federal regulations promulgated under such Act.

Need for Rule: the rule is needed to conform to federal requirements.

Legal Basis for Rule: Education Law sections 101, 207 and 1004(1).

Agency representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

Ceylane Meyers-Ruff  
Assistant Commissioner  
Office of Adult Career and Continuing Education Services  
Room 575 EBA  
89 Washington Avenue  
Albany, New York 12234  
(518) 474-2714

ACCESDeputy@nysed.gov

OFFICE OF STATE REVIEW

Sections 279.3 and 279.8 of the Commissioner's Regulations, regarding conforming and technical amendments to implement IDEA

Description of Rule: the rule relates to procedures for appeals to the State Review Office.

Section 279.3, as amended: (1) repealed language allowing a State Review Officer to base his or her decision on statements contained in a petition, which are deemed to be true, if an answer to the allegations in a petition is not served and filed according to the provisions of such regulations; and (2) authorized a State Review Officer to make a decision, that is considered final unless an aggrieved party seeks judicial review.

Section 279.8, as amended: (1) repealed language stating that oral argument before a State review officer is not permitted; (2) added language giving a State Review Officer the authority to determine if oral argument is necessary and to direct that such argument be heard at a time and place reasonably convenient to the parties; (3) authorized the State Review Officer to seek additional oral testimony or documentary evidence if determined necessary; (4) clarified that hearings to take additional evidence will be conducted before a State Review Officer at a time and place reasonably convenient to both parties; and (5) ensures that the procedures at such hearings are consistent with the due process requirements of section 200.5(i)(3).

Need for Rule: the rule is needed to conform the Commissioner's Regulations to the federal regulations implementing the Individuals with Disabilities Education Act.

Legal Basis for Rule: Education Law sections 101, 207, 3214(3), 4403(3) and (20), 4404(1) and (2) and 4410(13).

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the above-proposed amendments by contacting:

Justyn P. Bates  
Office of State Review  
80 Wolf Road, Suite 203  
Albany, New York 12203  
(518) 485-9373  
osrcmment@nysed.gov  
OFFICE OF MANAGEMENT SERVICES

Section 3.31 of the Regents Rules, regarding removal of trustees of education corporations

Description of Rule: Establishes procedures to be used in proceedings of the Board of Regents pursuant to Education Law § 226(4) to remove trustees of education corporations created by the Board of Regents, for misconduct, incapacity, neglect of duty and/or failure or refusal of the institution to carry into effect its educational purposes.

Need for Rule: the rule is needed to codify in the Regents Rules the procedures for removal of trustees of education corporations created by the Board of Regents, and thereby ensure the consistent, systemized practice with respect to such proceedings.

Legal Basis for Rule: Education Law section 101, 201, 202(1), 206, 207, 214, 215, 216 and 226(4).

Agency Representative:

Information may be obtained, and written comments may be submitted, concerning the modification or continuation of any of the above rules by contacting:

Julia Patane  
Assistant Counsel  
Office of Counsel  
State Education Building Room 112  
89 Washington Ave., Albany, NY 12234  
(518) 474-6400  
legal@nysed.gov

## Department of Financial Services

### 1. INTRODUCTION

Pursuant to Section 207 of the State Administrative Procedure Act, Review of Existing Rules, the Department (as defined below) must review, after five years and at five-year intervals thereafter, rulemak-



ings adopted on or after January 1, 1998. In addition, effective January 1, 2013, for any rule that requires a regulatory flexibility analysis, rural area flexibility analysis, or job impact statement, the Department must initially review that rule in the third calendar year after the year the rule first was adopted. The purpose of the review is to analyze the need for and legal basis of the adopted rulemakings. Please note that all references to the “Department” and the “Superintendent” regarding rules adopted prior to October 3, 2011 mean, respectively, the former Insurance Department or Banking Department and the former Superintendent of Insurance or Superintendent of Banking, as appropriate to the context, and that the references to laws cited are as of the date of the amendment to the rules. For references to rules adopted thereafter, “Department” and “Superintendent” mean, respectively, the Department of Financial Services and the Superintendent of Financial Services.

Notice is hereby given of the following rules that the Department will review this year to determine whether they should be continued or modified. These rules were adopted in 2018, 2016, 2011, 2006, and 2001. These rules, as published in the State Register, contain a regulatory flexibility analysis, a rural area flexibility analysis or a job impact statement. If one or more of those analyses was not filed, a statement setting forth why one or all those analyses was unnecessary was published in the State Register. Public comment on the continuation or modification of the following rules is invited. Comments must be received within 60 days of the date of publication of this notice.

Unless otherwise noted, the Superintendent intends to continue the rules discussed herein without modification, while continually monitoring the rules to ensure that the provisions remain consistent with related statutory and regulatory requirements.

## 2. INSURANCE RULEMAKINGS

The following Insurance rulemakings were adopted in 2018:

- Amendment to Part 16 (Insurance Regulation 86) (Special Risk Insurance) of Title 11 NYCRR (May 16, 2018 State Register).

Statutory Authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 307 and 308 and Article 63.

The amendment incorporated the Class 2 Risk changes that were introduced by Public Notice, as published in the May 10, 2017 State Register. In addition, Class Code 2-04002 (Federal Crime Program-Excess on Commercial Risks) was deleted because the program was defunct.

- Amendment to Part 361 (Insurance Regulation 146) (Establishment and Operation of Market Stabilization Mechanisms for Certain Health Insurance Markets) of Title 11 NYCRR (State Register August 15, 2018).

Statutory Authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 1109, and 3233.

The amendment authorized the Superintendent to implement a market stabilization pool for the individual and small group health insurance markets if, after reviewing the impact of the federal risk adjustment program on this market, the Superintendent determined that a market stabilization mechanism is a necessary amelioration. This rule ameliorated a possible disproportionate impact that federal risk adjustment could have on insurers and health maintenance organizations, addressed the needs of the individual and small group health insurance markets in New York, and prevented unnecessary instability in the overall health insurance market.

- Amendment to Part 52 (Insurance Regulation 62) (Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) of Title 11 NYCRR (State Register October 3, 2018).

Statutory authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 2606, 2607, 2608, 3201, 3221(h), 3231(a), 3232(g) and (h), 3240(b) and (d), 4303(II), 4317(a), 4318(g) and (h), and 4328(b)(1).

The amendment required every individual and small group accident and health insurance policy or contract (other than a grandfathered health plan) delivered or issued for delivery in New York that provides hospital, surgical, or medical expense coverage and every student accident and health insurance policy or contract delivered or issued for

delivery in New York to provide coverage of at least the enumerated ten categories of essential health benefits (“EHB”) if the EHB provisions in 42 U.S.C. Section 18022 and 45 C.F.R. 156.100 et seq. are no longer in effect or are modified to ensure that people covered under individual, small group, and student accident and health insurance policies and contracts will continue to have coverage for these benefits, as determined by the Superintendent. The rule also reiterated that no issuer of a small or large group or individual accident and health insurance policy that provides hospital, surgical, or medical expense coverage or a student accident and health insurance policy or contract delivered or issued for delivery in New York State may discriminate because of race, color, creed, national origin, sex, age, marital status, disability, or a preexisting condition, and clarified the scope of such prohibitions.

- Amendment to Part 52 (Insurance Regulation 62) (Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) of Title 11 NYCRR (State Register October 31, 2018).

Statutory Authority: Financial Services Law Sections 202 and 302; Insurance Law Sections 301, 3201, 3217, 3221 and 4237; and General Municipal Law (“GML”) Section 205-cc.

The amendment established minimum standards for volunteer firefighter enhanced cancer insurance policies that, pursuant to GML Section 205-cc, every legally organized fire district, department or company in the State must provide and maintain for each eligible volunteer firefighter unless the fire district, department or company self-funds the benefits.

- Amendment to Part 52 (Insurance Regulation 62) (Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) of Title 11 NYCRR (State Register September 26, 2018).

Statutory authority: Financial Services Law Sections 202 and 302; Insurance Law Sections 301, 3201, 3216(l), 3217, 3221(h), 3221(l)(7-a), 4303(l-1) and (II), 4304(l), 4308(a), and 4328(b)(1), and Article 49; Public Health Law Article 49; and 45 C.F.R. section 156.122(c).

The amendment provided that every insurer that delivers or issues for delivery in the State an accident and health insurance policy that provides hospital, surgical, or medical expense coverage and provides coverage for medication for the detoxification or maintenance treatment of a substance use disorder shall include in the policy processes that allow a formulary exception and access to clinically appropriate medication for the detoxification or maintenance treatment of a substance use disorder not otherwise covered by the policy.

Part 52 was amended in 2019 (State Register June 12, 2019) to require an insurance policy or contract, including a child health insurance plan policy or contract, that provides coverage for direct access to maternal depression screening and referral performed by a provider of obstetrical, gynecologic, or pediatric services of the mother's choice, to provide coverage for the screening and referral under the mother's policy and also under the infant's policy if the infant is covered under a different policy than the mother and a pediatric provider performs the screening and referral.

Part 52 was amended again in 2019 (State Register November 6, 2019), to require every policy or contract that provides medical, major medical, or similar comprehensive type coverage to provide broad contraceptive coverage, including coverage for all United States (“U.S.”) Food and Drug Administration-approved contraceptive drugs, devices, and other products and to establish a process, including timeframes, for an insured, an insured's designee, or an insured's health care provider to request coverage of a non-covered contraceptive drug, device, or product in conformity with Chapter 25 of the Laws of 2019 and Part M of Chapter 57 of the Laws of 2019.

Part 52 was amended in 2020 (State Register April 29, 2020) to clarify that discrimination prohibited by Insurance Law Sections 2607, 3243, and 4330 includes certain activities, such as including a policy clause that purports to deny, limit, or exclude coverage based on an insured's sexual orientation, gender identity or expression, or transgender status or designating an insured's sexual orientation, gender identity or expression, or transgender status as a pre-existing condition for the purpose of denying, limiting, or excluding coverage, and

to implement Insurance Law Sections 3216(i)(17)(E), 3221(l)(8)(E) and (F), and 4303(j)(3) by clarifying that coverage for preexposure prophylaxis with effective antiretroviral therapy to persons who are at high risk of HIV acquisition is included within preventive care and screenings and specifying the timing for coverage of preventive care and screenings.

Part 52 was amended again in 2020 (State Register December 23, 2020) to set forth minimum standards for the content of health insurance identification cards to ensure greater disclosure of information relating to an insured's health plan, and to provide easier access to such information, by standardizing the content of health insurance identification cards.

- Amendment to Part 60-2 (Insurance Regulation 35-D) (Supplementary Uninsured/Underinsured Motorists Insurance) of Title 11 NYCRR (State Register November 28, 2018).

Statutory Authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301 and 3420(f)(2-a).

Chapter 490 of the Laws of 2017 added a new Insurance Law Section 3420(f)(2-a) and Chapter 15 of the Laws of 2018 made amendments thereto. Insurance Law Section 3420(f)(2-a) requires an insurer that issues a motor vehicle liability insurance policy originally entered into on or after June 16, 2018, other than a commercial risk insurance policy, to provide Supplementary Uninsured/Underinsured Motorist ("SUM") insurance coverage for bodily injury in an amount equal to the bodily injury liability insurance limits of coverage provided under the motor vehicle liability insurance policy, unless the first named insured declines the SUM insurance or selects a lower amount of coverage through a written, signed waiver. The rule amended Subpart 60-2 to comply with Insurance Law Section 3420(f)(2-a). The rule also clarified which policies are commercial risk policies and which are not, as well as how the law applies to transportation network company policies.

Part 60-2 was amended in 2020 (State Register March 25, 2020) to conform to the legislative amendment to Insurance Law Section 3420(f) by Chapter 59, Part III, Section 19 of the Laws of 2019 by requiring any policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any natural person arising out of the ownership, maintenance, or use of an altered motor vehicle or stretch limousine, having a seating capacity of eight or more passengers and used in the business of carrying or transporting passengers for hire, provide SUM insurance for bodily injury in an amount of a combined single limit of \$1.5MM for bodily injury or death of one or more persons in any one accident.

- Amendment to Part 60-3 (Insurance Regulation 35-E) (Transportation Network Companies: Minimum Provisions for Policies and Other Requirements) of Title 11 NYCRR (State Register December 19, 2020).

Statutory Authority: Financial Services Law Sections 202 and 302; Insurance Law Sections 301 and 3455; and Vehicle and Traffic Law ("VTL") Section 1693(10).

The rulemaking amended 11 NYCRR 60-3.7(b) to extend, until July 1, 2019, the requirement that a group policy provide that the group policy is primary over a policy issued in satisfaction of VTL Article 6 to give insurers additional time to revise and implement their new policy forms. The amendment also changed an incorrect citation from 11 NYCRR Section 60-3.3(g)(2) to 11 NYCRR Section 60-3.3(h)(2).

- Amendment to Part 224 (Insurance Regulation 187) (Suitability in Life Insurance and Annuity Transactions) of Title 11 NYCRR (State Register August 1, 2018).

Statutory Authority: Financial Services Law Sections 202 and 302; Insurance Law Sections 301, 308, 309, 2103, 2104, 2110, 2123, 2208, 3209, 4224, 4226, 4525, and Article 24.

The amendment defined "suitability" and specified a best interest standard of care that applies to all annuity and life insurance transactions in New York State, regardless of the product type or source of funds, to ensure fair treatment of consumers purchasing both retirement and non-retirement annuity and life insurance products. The amendment also clarified the duties and obligations of insurance producers, or insurers when no producer is involved, by ensuring that

recently proposed national standards for certain annuity contracts and life insurance transactions apply to all transactions in New York State regardless of the source of funds. In addition, the amendment added consumer protections by requiring an insurance producer to have a reasonable basis to believe that the consumer has the financial ability to enter into a transaction and prohibiting the producer from implying that any recommendation is part of an investment plan unless the producer has a specific certification or professional designation in that area. The amendment also added certain consumer disclosure requirements designed to increase awareness and prevent financial abuse.

The following Insurance rulemakings were adopted in 2016:

- Amendment to Part 52 (Insurance Regulation 62) (Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure) of Title 11 NYCRR (State Register July 20, 2016).

Statutory Authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301 and 3201(c).

The amendment added a new subdivision (n) to Section 52.16 to prohibit any insurer from providing coverage in any insurance policy or contract delivered or issued for delivery in New York for conversion therapy for any individual under the age of 18 years. Conversion therapy refers to any practice by a mental health professional that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex.

- Amendment to Part 52 (Insurance Regulation 62) (Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure) of Title 11 NYCRR (State Register November 16, 2016).

Statutory Authority: Financial Services Law Sections 202 and 302, and Insurance Law Sections 301, 3201, 3217, 3221, and 4237.

The amendment allowed a blanket accident insurance policy that is issued in accordance with N.Y. General Business Law ("GBL") Section 1015.11 to contain a provision that its benefits are excess or always secondary to any plan. GBL Section 1015.11 requires every licensed promoter of authorized combative sports and professional wrestling to provide accident insurance for the protection of licensed professionals and wrestlers appearing in authorized combative sports matches or professional wrestling exhibitions on and after September 1, 2016, and authorizes the State Athletic Commission ("SAC") to promulgate regulations necessary to implement this legislation. In 2016, the SAC repealed and promulgated a new 19 NYCRR 208, which, among other things, provided that the accident insurance policy may be either primary or secondary to any other applicable insurance coverage held by the licensed professional or wrestler participant.

Part 52 was amended in 2017 (State Register June 21, 2017) to make explicit that individual, group and blanket insurance policies and contracts that provide hospital, surgical, or medical expense coverage delivered or issued for delivery in New York may not exclude coverage for medically necessary abortions and must provide such coverage at no cost sharing. The amendment also provided for an optional, limited exemption for religious employers and qualified religious organization employers while ensuring that medically necessary abortion coverage is maintained for all insureds at no premium to be charged to the certificate holder, religious employer, or qualified religious organization employer.

Part 52 was amended again in 2017 (State Register June 21, 2017) to require an insurer to allow, when the prescription so provides, for the dispensing of an initial three-month supply of a contraceptive to an insured and up to a 12-month prescribed supply for any subsequent dispensing of the same contraceptive prescribed by the same health care provider and covered under the same policy or contract or renewal thereof.

See rulemakings adopted in 2018, above, for additional amendments to Part 52.

- Addition of new Subpart 151-7 (Insurance Regulation 119) (Workers' Compensation Safe Patient Handling Program) of Title 11 NYCRR (State Register November 23, 2016).

Statutory Authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301 and 2304(j).

The new Subpart fulfilled statutory mandates by requiring an insurer to provide a credit on each workers' compensation insurance policy issued or renewed in New York State to a health care facility that implements and maintains a safe patient handling program pursuant to the requirements prescribed in the Public Health Law. The rule also required every workers' compensation rate service organization to file certain information with the Superintendent by June 1 of each year so that the Superintendent may collect information for the reports due to the Legislature in 2018 and 2020.

- Addition of new Part 76 (Insurance Regulation 209) (Commercial Crime Coverage Exclusions) of Title 11 NYCRR (State Register December 21, 2016).

Statutory Authority: Financial Services Law Sections 202 and 302, and Insurance Law Sections 301 and 2307 and Articles 23, 24, and 34.

The new Part 76 advanced New York State's public policy by prohibiting commercial crime policy exclusions for loss or damage caused by an employee who had been convicted of a criminal offense prior to employment by the employer when the employer hired such employee using the factors set forth in Correction Law Article 23-A. Correction Law Article 23-A establishes New York State's public policy encouraging licensure and employment of persons previously convicted of a criminal offense. The law prohibits discrimination against such persons, unless there is a direct relationship between the previous offense and the employment sought or held, or if the granting or continuation of employment would involve an unreasonable risk to property or personal safety or welfare. However, commercial crime insurance policies often exclude coverage for loss or damage caused by an employee who was previously convicted of a criminal offense if the employer knew about the conviction prior to the loss or damage. This placed an employer in the position of either being unable to obtain insurance or violating the Correction Law by not hiring the individual, even though a review of the Correction Law factors weighs in favor of employment.

- Amendment to Part 83 (Insurance Regulation 172) (Financial Statement Filings and Accounting Practices and Procedures) of Title 11 NYCRR (State Register November 9, 2016).

Statutory Authority: Financial Services Law Sections 202 and 302; Insurance Law Sections 107(a)(2), 301, 307, 308, 1109, 1301, 1302, 1308, 1404, 1405, 1407, 1411, 1414, 1501, 1505, 3233, 4117, 4233, 4239, 4301, 4310, 4321-a, 4322-a, 4327 and 6404; Public Health Law Sections 4403, 4403-a, 4403-c(12) and 4408-a; Chapter 599 of the Laws of 2002 and Chapter 311 of the Laws of 2008.

All states require insurers to comply with the Accounting Practices and Procedures Manual ("AP&P Manual") published each year by the National Association of Insurance Commissioners ("NAIC"), which establishes uniform practices and procedures for U.S.-licensed insurers. The amendment adopted the 2016 edition of the AP&P Manual As of March 2016, replacing the rule's prior reference to the March 2015 edition. Adoption of the rule was necessary for the Department to maintain its accreditation status with the NAIC. The NAIC-accreditation standards require that state insurance regulators have adequate statutory and administrative authority to regulate insurers' corporate and financial affairs, and that they have the necessary resources to carry out that authority.

Part 83 was amended in 2017 (State Register August 9, 2017) to update citations in Part 83 to the AP&P Manual as of March 2017, replacing the rule's former reference to the March 2016 edition.

Part 83 was amended in 2020 (State Register December 30, 2020) to make technical corrections and adopt the AP&P Manual as of March 2020 with certain exceptions and modifications. Of note, Section 83.4 was amended by adding new subdivisions (t) and (u). Subdivision (t) takes an exception from the AP&P Manual's treatment of certain investments in exchange traded funds ("ETFs") and mutual funds as bonds instead of common stock. The Department has determined that bond treatment is not appropriate for all ETFs and bond mutual funds designated by the AP&P Manual for such treatment. However, the Department recognizes that certain investments in ETFs and mutual funds may warrant treatment that is different from the common stock

treatment currently required by 11 NYCRR 83 for those investments. Accordingly, the Department is analyzing investments in ETFs and mutual funds to determine what subset of those investments may warrant treatment that is different from common stock and what that treatment should be. The Department expects a further amendment to 11 NYCRR 83 to be promulgated to implement appropriate changes to the treatment of investments in ETFs and mutual funds resulting from this analysis.

Subdivision (u) takes an exception from the AP&P Manual's characterization of dividends and returns of capital. The Insurance Law permits a parent company to remove funds from its insurer-subsidary by the taking of a dividend (either as an ordinary dividend, which is limited to the insurer-subsidary meeting certain financial benchmarks and does not require Department approval, or as an extraordinary dividend, which is subject to Department approval) and by the return of capital (either as a stock redemption and retirement or as a reorganization, both of which require Department approval). A core Department function is to ensure insurer solvency for the benefit of policyholders. The AP&P Manual's revision, in effect, blends the definitions of dividends and returns of capital, thus enabling an insurer-subsidary to effect a return of capital without the Department's approval. Additionally, the accounting for certain non-dividend returns of capital would not reduce the availability of funds for the parent company to take a further ordinary dividend (without Department approval), thereby allowing double-dipping (i.e., first taking a return of capital and then, after adding reinsurance, taking an ordinary dividend).

- Amendment to Part 94 (Insurance Regulation 56) (Valuation of Individual and Group Accident and Health Insurance Reserves) of Title 11 NYCRR (State Register February 24, 2016).

Statutory Authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 1303, 1304, 1305, 1308, 4117, 4217, 4310, and 4517.

The rule was amended to adopt the 2012 Group Long-Term Disability Valuation Table for group long-term disability income claims incurred on or after January 1, 2017, or if optionally elected, on or after October 1, 2014, replacing the 1987 Commissioners Group Disability Table (87CGDT).

The rule was amended in 2017 (State Register July 19, 2017) to adopt the 2013 Individual Disability Income Valuation Table that was adopted by the NAIC in 2016. Adoption of the table resulted in the same reserve requirements for both domestic and non-domestic insurers doing business in New York.

The rule was amended in 2019 (State Register November 27, 2019) to adopt the 2016 Cancer Claim Cost Valuation Tables for first occurrence and hospitalization cancer expense benefit contracts issued on or after January 1, 2019, or if optionally elected, on or after January 1, 2018, replacing the 1985 NAIC Cancer Claim Cost Tables.

The following Insurance rulemakings were adopted in 2011:

- Amendment of Part 169 (Insurance Regulation 100) (Noncommercial Private Passenger Automobile Insurance Merit Rating Plans) of Title 11 NYCRR (State Register January 19, 2011).

Statutory Authority: Insurance Law Sections 201, 301, 2334, 2335, 2345, and 3425.

Part 169 was amended to comply with Chapter 277 of the Laws of 2010. Chapter 277 of the Laws of 2010 amended Insurance Law Section 2335 to raise from \$1,000 to \$2,000 the minimum threshold amount of property damage which, if exceeded in a motor vehicle accident, would allow an insurer to impose a policy premium charge. The minimum threshold amount of property damage for which insurers may impose a premium surcharge was based on the amount set forth in VTL Section 605 (\$1,000).

- Amendment of Part 151-4 (Insurance Regulation 119) (Workers' Compensation Insurance Rates: Reserves for Special Disability Fund Claims) of Title 11 NYCRR (State Register January 19, 2011).

Statutory Authority: Insurance Law Sections 201, 301, 1303 and 4117, and Workers' Compensation Law ("WCL") Section 32.

WCL Section 32 permits the chair of the Workers' Compensation Board to procure one or more private entities to assume the liability



for, and the management, administration or settlement of, all or a portion of the claims in the Special Disability Fund (“SDF”). No insurer, self-insured employer, or the State Insurance Fund (“SIF”) may assume liability for, management, administration or settlement of any claims on which it holds reserves, beyond such reserves as are permitted by regulation of the Superintendent.

The law mandates the Superintendent to set a reserve standard specific to transactions authorized by WCL Section 32. The amendment established the required reserve standards, including the amount of reserves that an insurer, self-insured employer, or the SIF may hold for claims for which an entity has waived its right to reimbursement from the SDF and for which it has assumed the liability, management, administration or settlement.

See rulemakings adopted in 2016, above, for additional amendment to Part 151-4.

- Amendment of Part 151-5 (Insurance Regulation 119) (Workers’ Compensation Insurance – Independent Livery Driver Benefit Fund) of Title 11 NYCRR (State Register January 19, 2011).

Statutory Authority: Insurance Law Sections 201, 301 and 3451.

Chapter 392 of the Laws of 2008 enacted Executive Law Article 6-G, establishing clear rules for determining when livery drivers in New York City, Westchester County and Nassau County are employees or independent contractors of livery bases, and establishing the Independent Livery Driver Benefit Fund (the “Fund”) to provide independent contractor livery drivers workers’ compensation benefits under certain circumstances when no-fault automobile insurance does not provide sufficient coverage. Before passage of this law, the only recourse for independent contractor livery drivers was no-fault automobile insurance, which resulted in delays in payment while no-fault insurers ascertained whether livery drivers were independent contractors and eligible for coverage.

Insurance Law Section 3451 permits the Superintendent to promulgate regulations authorizing an insurer licensed to write workers’ compensation and employers’ liability to provide coverage as authorized pursuant to Executive Law Article 6-G. The amendment was promulgated to ensure that the Fund has a choice of procuring coverage either from the SIF or an authorized insurer, which may provide savings to the Fund and ultimately the livery bases that pay for the coverage.

- Amendment to Part 100 (Insurance Regulation 179) (Determining Minimum Reserve Liabilities and Non-forfeiture Benefits) of Title 11 NYCRR (State Register March 16, 2011).

Statutory Authority: Insurance Law Sections 201, 301, 1304, 4217, 4218, 4221, 4224, 4240 and 4517, and Articles 24 and 26.

The amendment extended the use of the 2001 CSO Preferred Class Structure Mortality Table to policies issued on or after January 1, 2004 with the Superintendent’s approval, and if certain conditions were met by the insurer related to policies or portions of policies that were co-insured. Previously, the table only was permitted to be used for policies issued on or after January 1, 2007. The use of the table allowed for the reserves to better match the risks associated with different underwriting classifications. Also, the rule should result in lower reserve requirements for those insurers that elected to use the table for policies issued on or after January 1, 2004, and therefore, decrease the cost of doing business in New York. This standard had already been adopted in the AP&P Manual.

Part 100 was adopted as part of a consolidated rulemaking with 11 NYCRR 98 (Insurance Regulation 147), (State Register December 10, 2014) to modernize the current regulatory scheme for term life insurance reserves, as discussed in the Superintendent’s March 27, 2014 letter to state commissioners.

Part 100 was amended as part of a consolidated rulemaking with 11 NYCRR 98 (Insurance Regulation 147) (State Register April 1, 2015) to modernize the current regulatory scheme for universal life insurance with secondary guarantee reserves.

Part 100 was amended as part of a consolidated rulemaking with 11 NYCRR 98 (Insurance Regulation 147) (State Register May 17, 2017) to adopt the 2017 CSO Mortality Table as the minimum valuation standard for applicable life insurance policies issued on or after Janu-

ary 1, 2020, or if optionally elected, on or after January 1, 2017, replacing the 2001 CSO Mortality Table. The amendments specified that the Fifth and Sixth Amendments to Part 98 and the Third and Fourth Amendments to Part 100 only would apply to policies issued on or after January 1, 2015 and prior to January 1, 2017, or on or after January 1, 2015 and prior to January 1, 2018 with written notification provided to the Superintendent by June 30, 2017.

Part 100 was amended as part of a consolidated rulemaking with 11 NYCRR 98 (Insurance Regulation 147) (State Register January 2, 2019) to modify Parts 98 and 100 to specify that two prior amendments to the rules (i.e., the Fifth and Sixth Amendments to Part 98 and the Third and Fourth Amendments to Part 100) only would apply to policies issued on or after January 1, 2015 and prior to January 1, 2017, or on or after January 1, 2015 and prior to January 1, 2019 with written notification provided to the Superintendent by December 31, 2018. The concurrent amendments to Parts 98 and 100 would allow insurers to apply the two prior amendments, if optionally elected, for one additional year of issuing policies.

Part 100 was amended as part of a consolidated rulemaking with 11 NYCRR 98 (Insurance Regulation 147) (State Register April 22, 2020) to allow insurers that choose to continue using the 2015 reserve relief procedures to use them for one more year of issuing policies, until they must update their reserve procedures to comply with new Insurance Law Section 4217(g).

- Amendment to Part 98 (Insurance Regulation 147) (Valuation of Life Insurance Reserves) to Title 11 NYCRR (State Register March 16, 2011).

Statutory Authority: Insurance Law Sections 201, 301, 1304, 1308, 4217, 4218, 4240 and 4517.

The amendment removed restrictions on the mortality adjustment factors (known as “X” factors) in the deficiency reserve calculation. The former restrictions on the X factors prevented some insurers from using mortality rates with a slope similar to insureds’ expected mortality. The purpose of the X factor in the deficiency reserve calculation is to allow insurers to adjust the valuation mortality assumptions so that the mortality rates better reflect the experience mortality rates; removal of the former restrictions allows that to occur. The amendment also provided clarification in the calculation of the segment length and addressed whether recalculation is required when valuation mortality changes. These standards already had been adopted in the AP&P Manual.

Part 98 was amended as part of a consolidated rulemaking with 11 NYCRR 100 (Insurance Regulation 179) (State Register December 10, 2014) to modernize the current regulatory scheme for term life insurance reserves.

Part 98 was amended as part of a consolidated rulemaking with 11 NYCRR 100 (Insurance Regulation 179) (State Register April 1, 2015) to modernize the current regulatory scheme for universal life insurance with secondary guarantee reserves.

Part 98 was amended as part of a consolidated rulemaking with 11 NYCRR 100 (Insurance Regulation 179) (State Register May 17, 2017) to adopt the 2017 CSO Mortality Table as the minimum valuation standard for applicable life insurance policies issued on or after January 1, 2020, or if optionally elected, on or after January 1, 2017, replacing the 2001 CSO Mortality Table. The amendments specified that the Fifth and Sixth Amendments to Part 98 and the Third and Fourth Amendments to Part 100 would only apply to policies issued on or after January 1, 2015 and prior to January 1, 2017, or on or after January 1, 2015 and prior to January 1, 2018 with written notification provided to the Superintendent by June 30, 2017.

Part 98 was amended as part of a consolidated rulemaking with 11 NYCRR 100 (Insurance Regulation 179) (State Register January 2, 2019) to modify Parts 98 and 100 to specify that two prior amendments to the rules (i.e., the Fifth and Sixth Amendments to Part 98 and the Third and Fourth Amendments to Part 100) would only apply to policies issued on or after January 1, 2015 and prior to January 1, 2017, or on or after January 1, 2015 and prior to January 1, 2019 with written notification provided to the Superintendent by December 31, 2018. The concurrent amendments to Parts 98 and 100 allow insurers to apply the two prior amendments, if optionally elected, for one additional year of issuing policies.



Part 98 was amended as part of a consolidated rulemaking with 11 NYCRR 100 (Insurance Regulation 179) (State Register April 22, 2020) to allow insurers that choose to continue using the 2015 reserve relief procedures to use them for one more year of issuing policies, until they are required to update their reserve procedures to comply with new Insurance Law Section 4217(g).

- Amendment to Part 83 (Insurance Regulation 172) (Financial Statement Filings and Accounting Practices and Procedures) of Title 11 NYCRR (State Register March 16, 2011).

Statutory Authority: Insurance Law Sections 107(a)(2), 201, 301, 307, 308, 1109, 1301, 1302, 1308, 1404, 1405, 1411, 1414, 1501, 1505, 3233, 4117, 4233, 4239, 4301, 4310, 4321-a, 4322-a, 4327 and 6404; Public Health Law Sections 4403, 4403-a, 4403-c and 4408-a; and Chapter 599, Laws of 2002, and Chapter 311, Laws of 2008.

The purpose of the rule is to enhance the consistency of the accounting treatment of assets, liabilities, reserves, income, and expenses by regulated insurers, by clearly setting forth the accounting practices and procedures to be followed in completing annual and quarterly financial statements that must be filed with the Department. The NAIC had adopted a new AP&P Manual as of March 2010. The amendment updated the rule to conform to NAIC guidelines and statutory amendments and to clarify existing provisions. The amendment updated citations in Part 83 to the AP&P Manual as of March 2010.

Part 83 was amended (State Register May 2, 2012) to update citations in Part 83 to the AP&P Manual as of March 2011, replacing the rule's former reference to the March 2010 edition.

Part 83 was amended (State Register December 4, 2013) to update the reference to the AP&P Manual published by the NAIC as of March 2012, replacing the rule's former reference to the March 2011 edition.

Part 83 was amended (State Register April 2, 2014) to update citations in Part 83 to the AP&P Manual as of March 2013, replacing the rule's former reference to the March 2012 edition.

Part 83 was amended (State Register November 19, 2014) to update citations in Part 83 to the AP&P Manual as of March 2014, replacing the rule's former reference to the March 2013 edition.

Part 83 was amended (State Register September 23, 2015) to update citations in Part 83 to the AP&P Manual as of March 2015, replacing the rule's former reference to the March 2014 edition.

See rulemakings adopted in 2016, above, for additional amendments to Part 83.

- Repeal and Addition of new Part 89 (Insurance Regulation 118) (Audited Financial Statements) to Title 11 NYCRR (State Register March 16, 2011).

Statutory Authority: Insurance Law, sections 201, 301, 307(b), 1109, 4710(a)(2) and 5904(b).

Part 89 was originally promulgated in 1984 to implement the provisions of Insurance Law Section 307(b). The rule was repealed, and a new rule was promulgated to continue to implement the provisions of Insurance Law Section 307(b), which requires all but specified small insurers to file annual statements with the Superintendent for review and oversight. The new rule added provisions modeled on those required pursuant to the Sarbanes-Oxley Act of 2002, 15 U.S.C. Section 7201 et seq., which imposes on publicly held companies a comprehensive regime of audits and internal management controls and reports designed to ensure greater transparency and accountability.

The new rule was closely patterned upon the NAIC model regulation that reflects a consensus of the insurance regulators of all states and territories of the United States as to scope, detail, needs and benefits. The new rule was promulgated to ensure that regulated companies engage in best practices related to auditor independence, corporate governance, and internal controls over financial reporting.

Part 89 was amended in 2020 (State Register May 13, 2020) to require authorized insurers, fraternal benefit societies, and managed care organizations that meet a certain premium threshold to establish and maintain an internal audit function. The internal audit function requirement became an NAIC accreditation standard as of January 1, 2020.

- Amendment to Part 52 (Insurance Regulation 62) (Minimum Standards for the Form, Content and Sale of Health Insurance, Including

Full and Fair Disclosure) of Title 11 NYCRR (State Register March 30, 2011).

Statutory Authority: Insurance Law Sections 201, 301, 1109, 1117, 2601, 3217, 3234 and 4512.

Insurance Law Sections 1117 and 3217 grant the Superintendent the authority to promulgate regulations that establish minimum standards for the form, content and sale of health insurance, including long-term care insurance. The amendment adopted current best practices as the minimum standards applying to internal appeals for long-term care insurance across the industry. Specifically, the amendment established minimum standards for internal appeal procedures for long-term care insurance, nursing home and home care insurance, nursing home insurance only, and home care insurance only.

See rulemakings adopted in 2016 and 2018, above, for additional amendments to Part 52.

- Amendment to Part 27 (Insurance Regulation 41) (Excess Line Placements Governing Standards) of Title 11 NYCRR (State Register May 4, 2011).

Statutory Authority: Insurance Law Sections 201, 301, 2105, 2118 and Article 21.

Part 27 enables consumers who are unable to obtain insurance from authorized insurers to obtain coverage from unauthorized insurers if the unauthorized insurers are "eligible" and an excess line broker places the insurance. Although the Superintendent does not directly regulate excess line insurers and excess line insurers are not subject to the minimum capital surplus requirements applicable to authorized insurers, the Superintendent is responsible for ensuring that adequately and appropriately capitalized insurers provide coverage to consumers. The amendment established certain minimum financial standards and surplus to policyholders vis-à-vis excess line insurers to ensure the claims-paying viability of excess line insurers. Specifically, the rule increased the minimum surplus to policyholders that new and current excess line insurers are required to maintain.

The rule was amended in 2013 (State Register April 10, 2013) to update the export list of coverages set forth in 11 NYCRR 27 and to implement Chapter 61 of the Laws of 2011, which revised the Insurance Law to conform to the federal Nonadmitted and Reinsurance Reform Act of 2010.

The rule was amended in 2014 (State Register October 8, 2014) to further implement Chapter 61 of the Laws of 2011.

- Amendment to Part 65-1 (Insurance Regulation 68-A) and Part 65-2 (Insurance Regulation 68-B) (Regulations Implementing the Comprehensive Motor Vehicle Insurance Reparations Act) of Title 11 NYCRR (State Register May 11, 2011).

Statutory Authority: Insurance Law, Sections 201, 301, 2307, 5103 and 5221.

Chapter 303 of the Laws of 2010 amended Insurance Law Section 5103(b)(2) to prohibit a no-fault insurer from excluding from coverage necessary emergency health services rendered in a general hospital, including ambulance services attendant thereto and related to medical screening, for any person who is injured as a result of operating a motor vehicle while in an intoxicated condition or while the person's ability to operate the vehicle is impaired by the use of a drug within the meaning of the VTL Section 1192. Chapter 303 also permits a no-fault insurer to maintain a cause of action against the covered person for the amount of first party benefits paid or payable on behalf of the covered person if such person is found to have violated VTL Section 1192.

The Mandatory Personal Injury Protection Endorsement (New York), Additional Personal Injury Protection Endorsement (New York) and the rights and liabilities of self-insurers provisions of Parts 65-1 and 65-2 were amended to comply with Chapter 303 of the Laws of 2010.

The following Insurance rulemakings were adopted in 2006:

- Amendment to Part 261 (Insurance Regulation 161) (Prepaid Legal Services Plans) of Title 11 NYCRR (State Register February 15, 2006).

Statutory Authority: Insurance Law Sections 201, 301, 1113(a)(29), 1161 and Article 23.

Part 261 establishes requirements for Prepaid Legal Service Plans authorized pursuant to Insurance Law Section 1116, including the recognition of groups to whom policies and certificates may be issued on a group basis. The amendment established that a group policy may be issued to a college, school or other institution of learning, or to the head or principal thereof (which or who shall be deemed the policyholder), covering the students of such college, school or other institution of learning.

- Amendment to Part 27 (Insurance Regulation 41) (Excess Lines Placements Governing Standards) of Title 11 NYCRR (State Register March 8, 2006).

Statutory Authority: Insurance Law Sections 201, 301, 2105, 2118 and Article 21.

Part 27 establishes excess line placement governing standards. The amendment restated Insurance Law Section 2118(b)(6) regarding the duty of an excess line broker to deliver a stamped declarations page or cover note evidencing insurance that is stamped by the excess line association. The amendment also updated the language on the notice that is required to be prominently displayed on written confirmations of placement of coverage with excess line insurers and the notice that is required on insurance policies issued by excess line insurers in this state. The two notices used previously were different. Such changes were necessary to facilitate the eventual conversion of the affidavit system of the Excess Line Association of New York to an electronic filing system.

In 2007, the rule was amended (State Register December 19, 2007) to change the amount of funds required to be held in trust by alien excess line insurers and an association of insurance underwriters.

In 2009, the rule was amended (State Register September 9, 2009) to add coverages to the export list and reduce the requisite declinations for several other coverages.

See rulemakings adopted in 2011, above, for additional amendments to Part 27.

- Amendment to Part 219 (Insurance Regulation 34-A) (Rulemakings Governing Advertisements of Life Insurance & Annuity Contracts) of Title 11 NYCRR (State Register October 11, 2006).

Statutory Authority: Insurance Law Sections 201, 301, 308, 1313, 2122, 2123, 2402, 4224, 4226 and 4240(d).

Insurance Law Section 2122(a)(2) prohibits any person from calling attention to an unauthorized insurer by any advertisement or public announcement in this state. Part 219 establishes requirements regarding advertisements, statements and representations of licensees used in the solicitation of life insurance, annuities and the reporting of financial information.

The amendment to the rule permitted “joint advertisements” in New York, which are advertisements that contain the names of, or references to, insurance policies sold by a New York authorized insurer and an affiliated insurer that is not authorized in New York. The amendment construed the terms “advertisement” and “public announcement” as used in the Insurance Law and prescribed, for the protection of New York consumers, rules and guidelines that require the truthful and adequate disclosure of all material and relevant information in joint advertisements.

- Adoption of Part 221 (Insurance Regulation 182) (Limitations upon and Requirements for the use of Credit Information for Personal Lines Insurance) of Title 11 NYCRR (State Register October 25, 2006).

Statutory Authority: Insurance Law Sections 201, 301, Article 28.

The Legislature, in enacting Chapter 215 of the Laws of 2004, codified as Insurance Law Article 28, sought to afford consumers certain protections regarding the use of credit information for personal lines insurance. To this end, the Legislature directed the Superintendent to promulgate a regulation that establishes limitations on, and requirements for, the permissible use of credit information by insurers doing business in this state to underwrite and rate risks for personal lines insurance business. The amendment clarified the prohibited and permitted uses of credit information in the underwriting and rating of personal lines insurance.

- Amendment to Part 68 (Insurance Regulation 83) (Charges for

Professional Health Services) of Title 11 NYCRR (State Register November 15, 2006).

Statutory Authority: Insurance Law Sections 201, 301, 2601, 5221, Article 52.

Part 68 establishes maximum permissible charges for medical, hospital and other professional health services payable as no-fault insurance benefits. The amendment updated the addresses of the New York State Department of Health and the New York State Education Department for the purpose of reporting patterns of health provider overcharges, excessive treatment, or any other improper actions. The amendment also updated the name of the New York State Insurance Department bureau that was collecting the data.

In 2008, the rule was amended (State Register April 16, 2008) to repeal the fee schedules previously established by the Insurance Department for prescription drugs, durable medical equipment, medical/surgical supplies, orthopedic footwear, and orthotic and prosthetic appliances that were covered by the two fee schedules established by the Workers’ Compensation Board, and clarified that a pharmacy is deemed to be a provider of health services for purposes of eligibility of direct payments pursuant to Subpart 68-C.

In 2010, the rule was amended (State Register September 22, 2010) to adopt a new Workers’ Compensation Board Dental Fee Schedule.

In 2017, the rule was amended (State Register October 25, 2017) to limit insurers’ reimbursement of no-fault health care services provided outside the State at the election of a New York State eligible injured person to the lowest of: (1) the amount of the fee in the region in New York State that has the highest applicable amount in the fee schedule for that service; (2) the amount the provider charged; and (3) the prevailing fee in the geographic location of the provider. If the jurisdiction where the out-of-state provider rendered treatment had established a fee schedule for services rendered in connection with motor vehicle-related injuries, the prevailing fee would be the amount prescribed in that fee schedule for the respective service. The limit on reimbursement did not apply to services provided out-of-state that would constitute emergency care provided to a non-resident of this State or a resident of this State who, at the time of treatment, was residing in the jurisdiction where the treatment was being rendered for reasons unrelated to the treatment. The amendment was necessary because, under the former rule, there had been a marked increase in the submission of over-inflated claims from out-of-state providers, largely because of the lack of a uniform interpretation of the prevailing fees outside the State, and no-fault benefits available to injured persons were being depleted more quickly, to their detriment.

In 2019, the rule was amended (State Register August 7, 2019) to delay for 18 months the adoption of the workers’ compensation fee schedules for use pursuant to Insurance Law Section 5108.

In 2020, the rule was amended (State Register April 22, 2020) to delay until October 1, 2020 the adoption of workers’ compensation fee schedules for use in the no-fault system pursuant to Insurance Law Section 5108.

- Amendment to Part 218 (Insurance Regulation 90) (Prohibition Against Geographical Redlining and Discriminating in Certain Property/Casualty Policies) of Title 11 NYCRR (State Register November 29, 2006).

Statutory Authority: Insurance Law Sections 201, 301, 307, 308, 3429, 3429-a, 3430, 3433 and Article 34.

Part 218 is intended to make certain types of property/casualty coverage readily available in the voluntary market by implementing statutory prohibitions against companies engaging in geographical redlining practices and discrimination.

In enacting Chapter 259 of the Laws of 2005, the Legislature sought to prohibit insurance companies from canceling, refusing to issue, or refusing to renew a homeowner’s insurance policy, including fire insurance or fire and extended coverage insurance, based solely on the insured residing in an area that is serviced by a volunteer fire department, unless such action is based on sound underwriting and actuarial principles.

The amendment established procedures for notifying applicants or insureds of the insurer’s specific reasons for canceling or refusing to

issue or renew such policies. The amendment advised that an applicant or insured may contact the insurance company with any questions and may file a complaint with the Department.

In 2013, the rule was revised twice as part of two consolidated amendments (State Registers April 10, 2013 and June 5, 2013) to correct out-of-date references resulting from the consolidation of the New York State Banking and Insurance Departments into the Department of Financial Services.

- Amendment to Part 217 (Insurance Regulation 178) (Prompt Payment of Health Insurance Claims) of Title 11 NYCRR (State Register December 27, 2006).

Statutory Authority: Insurance Law Sections 201, 301, 1109, 2403, 3224, and 3224-a.

Part 217 establishes minimum data element requirements for the submission of claims for payment of medical or hospital services that are submitted on paper. The amendment updated the fields required for the submission of health care claims in a paper format. The information was required by Medicare and was inadvertently omitted from the original promulgation of the rule.

As part of a consolidated rulemaking with 11 NYCRR 52 (Insurance Regulation 62) (State Register April 1, 2009) the rule was amended to establish guidelines for the processing of health care claims when the claimant is covered by more than one health insurance policy.

The following Insurance rulemakings were adopted in 2001:

- Amendment of Part 160 (Insurance Regulation 57) (Responsibilities in Construction and Application of Rates) of Title 11 NYCRR (State Register January 17, 2001).

Statutory Authority: Insurance Law Sections 201, 301, and 2336(h).

Insurance Law Section 2336(h) provides for premium reductions for certain commercial motor vehicles when such vehicles are equipped with factory-installed auxiliary running lamps. The statutory provision requires the Superintendent, after consultation with the Department of Motor Vehicles and the Department of Transportation, to promulgate regulations that establish the qualifications and standards for the approval, utilization and installation of such lamps. Chapter 475 of the Laws of 1998 added subsection (h) to Section 2336 to induce commercial risk insureds to reduce risk levels to their commercial motor vehicles. The amendment implemented the legislative objective of Chapter 475.

In 2002, the rule was amended (State Register June 26, 2002) to update it and to eliminate obsolete provisions.

- Adoption of Part 390 (Insurance Regulation 155) (Service Contracts) of Title 11 NYCRR, (State Register February 7, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1101, 7911 and Article 79.

Chapter 614 of the Laws of 1997 added a new Article 79 to the Insurance Law governing the making of service contracts by service contract providers, and service contract reimbursement insurance, which was added as a new kind of insurance under Section 1113(a)(28). Section 7911 specifically authorizes the Superintendent to promulgate regulations necessary to effectuate Article 79. Chapter 198 of the Laws of 1999 amended Insurance Law Section 1113(a)(28) to add indemnification coverage to the definition of service contract reimbursement insurance. Article 79 created a framework for regulating service contract providers. The new law also authorized service contract reimbursement insurance, which is intended to provide one of the three forms of financial security required to ensure that a provider will meet its obligations.

The rule established rules governing and regulating the service contract business and accomplished several goals. It established a procedure for the registration of providers, including the specification of minimum information necessary for the Superintendent to determine whether to register the provider. It established minimum provisions and requirements regarding service contract reimbursement insurance and service contracts. It also clarified the relationship of mechanical breakdown insurance to service contracts.

In 2003, the rule was amended (State Register March 5, 2003) to update two references to the address of the Department's Albany office.

- Adoption of Part 410 (Insurance Regulation 166) (External Appeals of Adverse Determinations of Health Care Plans) of Title 11 NYCRR (State Register February 14, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1109, 3201, 3216, 3217, 3217-a, 3221, 4235, 4303, 4304, 4305, 4321, 4322, 4324, Articles 47 and 49, and Chapter 586 of the Laws of 1998.

Chapter 586 of the Laws of 1998 provided enrollees of managed care plans and insureds the right to an objective, independent external appeal of a final adverse determination made by their health care plan. The law was intended to provide consumers with the right to obtain a review of their health plans' decisions through an objective body of medical experts, at the health plans' expense.

In 2008, the rule was amended (State Register December 3, 2008) to provide that external appeal agents shall not be subject to legal proceedings to review their determinations.

- Repeal of Part 58 (Insurance Regulation 117) (Mortality Tables) and Adoption of Part 99 (Insurance Regulation 151) (Valuation of Annuity, Single Premium Life Insurance, Guaranteed Interest Contract and Other Deposit Reserves) of Title 11 NYCRR (State Register February 28, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1304, 4217, 4240 and 4517.

The adoption of 11 NYCRR 99 established an appropriate methodology to calculate and determine adequate reserves to help ensure the solvency of life insurers doing business in New York. The Insurance Law specifies mortality and interest standards but does not specify an explicit method to value annuities, single premium life insurance policies, or guaranteed interest contracts, and relies on the Superintendent to specify the method. Without this rule, there would be no standard method for valuing such products. This could result in inadequate reserves for some insurers, which would jeopardize the security of policyholder funds.

With the adoption of Part 99 (Regulation 151), Part 58 of 11 NYCRR (Regulation 117) was repealed. Part 58 was repealed because its mortality tables for determining liabilities for annuities and pure endowments had been updated for new business and included in new Part 99.

In 2009, Part 99 was amended (State Register December 9, 2009) to provide that external appeal agents shall not be subject to legal proceedings to review their determinations.

In 2012, Part 99 was amended (State Register April 11, 2012) to allow the use of substandard annuity mortality tables in valuing impaired lives under individual single premium immediate annuities, enabling insurers to keep costs at a lower level because they will not need to hold standard reserves for impaired lives and thus offer these annuities at a more competitive price to annuitants.

In 2014, Part 99 was amended (State Register August 27, 2014) to incorporate a new individual annuity mortality table, which had been adopted by the NAIC, that insurers are required to use to calculate reserves on individual annuities and pure endowments issued or purchased on or after January 1, 2015. Use of the new table's mortality rates and projection scales are expected to result in increased reserves because mortality rates will be lower due to the expectation that lifetime annuitants will receive their income for longer periods of time.

- Adoption of Part 430 (Insurance Regulation 170) (Mechanism for the Equitable Distribution of Insureds Unable to Obtain Medical Malpractice Insurance) of Title 11 NYCRR (State Register March 7, 2001).

Statutory Authority: Insurance Law Sections 201, 301, and 5502, as amended by Chapter 147 of the Laws of 2000.

Pursuant to Insurance Law Section 5502, as amended by Chapter 147 of the Laws of 2000, the Superintendent dissolved the Medical Malpractice Insurance Association ("Association"). The Association had written medical malpractice insurance for health care providers who were unable to secure such coverage in the voluntary market. The amendment established the New York Medical Malpractice Insurance Plan ("Plan") to provide for the equitable distribution required by the Legislature. Through the Plan, an eligible health care provider, as defined in the rule, that is unable to obtain insurance in the voluntary



market, is assigned to an insurer writing the appropriate coverage in the insured's geographical territory.

- Amendment of Part 52 (Insurance Regulation 62) (Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure) of Title 11 NYCRR (State Register March 21, 2001).

Statutory authority: Insurance Law Sections 201, 301, 3201, 3216, 3217, 3218, 3221, 3231, 3232, 4235, 4237, Article 43 and Federal Social Security Act (42 U.S.C. Section 1395ss).

The enactment of the Federal Omnibus Budget Reconciliation Act of 1990 ("the Act") required the mandatory standardization and federal certification of policies of Medicare supplement insurance. As a result of the Act, states were required to amend their laws and regulations to conform to the federal standards for Medicare supplement insurance. The revisions contained in this amendment made technical corrections to New York's Medicare supplement regulation to ensure continued compliance with federal standards.

In 2002, an amendment to Section 52.22 of the rule was adopted (State Register March 5, 2003) to make minor revisions to certain mandatory practices to be followed by insurers issuing Medicare supplement insurance policies that bring company practices into conformance with the Act.

In 2010, the rule was amended as part of a consolidated regulatory action (State Register May 5, 2010) to conform to the requirements of federal law. States were required to have a Medicare supplement insurance regulatory program that provided a minimum level of coverage as established by federal law, 42 U.S.C. Section 1395ss. The applicable federal laws were amended in 2008.

See rulemakings adopted in 2011, 2016 and 2018, above, for additional amendments to Part 52.

- Amendment of Part 89 (Insurance Regulation 118) (Audited Financial Statements) of Title 11 NYCRR (State Register May 9, 2001).

Statutory authority: Insurance Law Sections 201, 301, 307(b) and 4710(a)(2).

Insurance Law Section 307(b) provides for the audited financial statement of every licensed insurer, with certain exceptions, and of any subsidiary described therein, together with an opinion of an independent certified public accountant on the financial statement of the insurer and any subsidiary, to be filed on or before May 31 of each year. Section 307(b) was amended by Chapter 324 of the Laws of 1992 and necessitated an amendment to Part 89.

Part 89 was originally promulgated in 1984 to implement the provisions of Insurance Law Section 307(b). This amendment further implemented the provisions of Section 307(b), as amended by Chapter 324 of the Laws of 1992. It enabled the Department to continue to monitor the financial solvency of insurers licensed to do business in New York State.

See rulemakings adopted in 2011, above, for additional amendment to Part 89.

- Adoption of Part 83 (Insurance Regulation 172) (Financial Statement Filings and Accounting Practices and Procedures) of Title 11 NYCRR (State Register May 23, 2001).

Statutory Authority: Insurance Law Sections 107(a)(2), 201, 301, 307, 308, 1109, 1301, 1302, 1308, 1404, 1405, 1407, 1411, 1414, 1501, 1505, 3233, 4117, 4233, 4239, 4301, 4310, 4321-a, 4322-a, 4327 and 6404; Public Health Law Sections 4403, 4403-a, 4403-c(12) and 4408-a.

The purpose of the rule is to enhance the consistency of the accounting treatment of assets, liabilities, reserves, income and expenses by entities subject thereto, by setting forth the accounting practices and procedures to be followed in completing annual and quarterly financial statements required by law. Certain provisions of the Insurance Law provide that authorized insurers and other entities shall file financial statements annually and quarterly with the Superintendent, on forms prescribed by the Superintendent. Except for filings made by Underwriters at Lloyd's, London, the Superintendent prescribed forms and Annual and Quarterly Statement Instructions that are adopted from time to time by the NAIC, as supplemented by additional New

York forms and instructions. To assist in the completion of the Financial Statements, the NAIC also adopts and publishes from time to time certain policy, procedure and instruction manuals. One of these manuals, the AP&P Manual As of March 2000, includes a body of accounting guidelines referred to as Statements of Statutory Accounting Principles. The AP&P Manual was incorporated by reference into Part 83.

The AP&P Manual as of March 2000 was effective January 1, 2001. The AP&P Manual represents a compilation of current insurance statutory accounting principles. The AP&P Manual is designed as a comprehensive guide to statutory accounting principles for regulators, insurers and auditors. The AP&P Manual does not preempt state legislative or regulatory authority. Statutory financial statements continue to be prepared on the basis of accounting practices prescribed or permitted by the states. Auditors are permitted to continue to provide audit opinions on practices permitted by the insurance regulator of the state of domicile, even if those practices diverge from the AP&P Manual. In certain instances, a New York statute or regulation may preclude incorporation of particular provisions of the AP&P Manual. In a few instances, for various reasons, the Department has not incorporated provisions of, or revisions to, the AP&P Manual.

In 2003, the rule was amended (State Register March 26, 2003) to update citations in Part 83 to the AP&P Manual as of March 2002.

The rule again was amended in 2003 (State Register September 24, 2003) to update citations in Part 83 to the AP&P Manual as of March 2003, make a technical correction, and delete an obsolete provision regarding accident and health benefits in life insurance policies and annuities.

In 2004, the rule was amended (State Register May 19, 2004) to delete obsolete references to certain web sites.

The rule again was amended in 2004 (State Register September 15, 2004) to update citations in Part 83 to the AP&P Manual as of March 2004.

In 2007, the rule was amended (State Register January 10, 2007) to update citations in Part 83 to the AP&P Manual as of March 2005 and to make minor modifications to the rule regarding accounting treatment of certain insurer assets.

The rule again was amended in 2007 (State Register April 25, 2007) to update citations in Part 83 to the AP&P Manual as of March 2006.

See rulemakings adopted in 2011 and 2016, above, for additional amendments to Part 83.

- Amendment of Part 185 (Insurance Regulation 27A) (Credit Life Insurance and Credit Accident and Health Insurance) of Title 11 NYCRR (State Register May 30, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 3201, 4216 and 4235.

Insurance Law Sections 4216 and 4235 authorize the issuance of credit life insurance and credit accident and health insurance as permitted coverages in this state. One portion of the amendment removed a restriction on the use of termination based on age.

The rule, prior to the amendment, specified the rates for vendor business. The most common examples of vendor business are automobile dealerships. The rates specified in the rule for some blocks of vendor business were inadequate. Thus, part of the amendment allowed for the rates for blocks of vendor business to be based on their actual experience. Prior to this change, coverage was not available at some vendors.

Insurance Law Sections 4216 and 4235 also require that the premium not be unreasonable in relation to the benefits provided. Another part of the amendment balanced the legislative objective of making the product available with the legislative objective that insureds receive fair value for their premium dollar.

In 2002, the rule was amended (State Register December 11, 2002) to conform to Chapter 505 of the Laws of 2000 and Chapter 13 of the Laws of 2002, which created a new type of broker license, defined in Insurance Law Section 2104(b)(1)(A), allowing brokers to write the coverages set forth in the rule.

- Amendment of Part 70 (Insurance Regulation 101) (Medical Malpractice Insurance Rate Modifications, Provisional Rates, Required



Policy Provisions and Availability of Additional Coverages) of Title 11 NYCRR (State Register June 20, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1113(a)(13) and (14), 3426, 3436, 5504, 5907, 6302, 6303 and Article 23, and Chapter 147 of the Laws of 1999 as amended by Part JJ of Chapter 407 of the Laws of 1999.

The amendment established medical malpractice insurance rates and appropriate surcharges for physicians and surgeons effective July 1, 2000, and established rules to collect and allocate surcharges to recover deficits based on loss experience. While the Superintendent continues to establish medical malpractice rates, the Superintendent no longer amends the rule to do so, and the old rates are no longer current. The Department reviews the rule each year to ensure that the provisions remain consistent with other related statutory and regulatory requirements.

- Amendment of Part 27 (Insurance Regulation 41) (Excess Line Placements Governing Standards) of Title 11 NYCRR (State Register July 11, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1101, 2105, 2117; Chapter 294 of the Laws of 1997, Chapter 597 of the Laws of 1999 and Chapter 578 of the Laws of 2000.

Insurance Law Section 1101(b) was amended by Chapter 597 of the Laws of 1999 to provide for a new paragraph (5). It permits an unauthorized insurer that is affiliated with an insurer licensed in this state to have an office in this state to provide services to support its insurance business. Insurance Law Section 2117 was also amended by Chapter 597 of the Laws of 1999 to provide for a new subsection (i) that allows an authorized insurer to provide support services from its office in New York to unauthorized affiliates, provided that the unauthorized insurer has satisfied all applicable requirements for placement by excess line brokers. Both sections of law require that any documents issued by an unauthorized insurer from an office in this state contain a prominent notice that the insurer is not licensed in New York, in accordance with regulations promulgated by the Superintendent.

The amendment revised the rule by establishing a mandatory and uniform notice instead of permitting each insurer to establish its own notice, to ensure that consumers receive the appropriate information. The amendment also required insurers to provide notice to the Superintendent of the existence of the New York office of an unauthorized insurer to allow the Superintendent to properly regulate their activities.

In 2003, the rule was amended (State Register February 19, 2003) to clarify the duties and responsibilities of excess line brokers, unauthorized insurers and the Excess Line Association of New York regarding excess line business placed in New York State.

See rulemakings adopted in 2006 and 2011, above, for additional amendments to Part 27.

- Adoption of Part 362 (Insurance Regulation 171) (The Healthy New York Program & the Direct Payment Stop Loss Relief Program) of Title 11 NYCRR (State Register July 18, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1109, 3201, 3216, 3217, 3221, 4235, 4303, 4304, 4305, 4318, 4321, 4321-a, 4322, 4322-a, 4326 and 4327.

The Legislature enacted Chapter 1 of the Laws of 1999 to provide for the Healthy New York Program, an initiative that was designed to encourage small employers that did not provide health insurance coverage to their employees to offer such coverage and to make coverage available to uninsured employees whose employers did not provide group health insurance coverage. By creating a standardized health insurance benefit package to be offered by all health maintenance organizations, which is made more affordable through the availability of state funded stop loss reimbursement, more small employers and uninsured employed individuals were encouraged to purchase health insurance coverage. The rule was necessary to clarify eligibility for, and establish procedures for enrolling in, the Healthy New York Program.

In 2004, the rule was amended (State Register February 11, 2004) to encourage small employers that did not currently provide health insurance coverage to their employees to offer such coverage, and to

make coverage available to uninsured employees whose employers did not provide group health insurance. To encourage the goals stated above, the amendment clarified eligibility for the Healthy New York Program and simplified the application and administrative process for both enrollees and providers.

In 2007, the rule was amended (State Register January 31, 2007) to reduce Healthy New York premium rates to enable more uninsured businesses and individuals to afford health insurance and generally improve the Healthy New York Program. The rule was amended again in 2007 to offer high deductible health plans in conjunction with the Healthy New York Program and to add benefits to the program.

In 2012, the rule was amended (State Register November 18, 2012) to mitigate large premium increases for current enrollees in Healthy New York by limiting new enrollees to the high deductible plan.

- Adoption of Part 101 (Insurance Regulation 164) (Standards for Financial Risk Transfer Agreements between Insurers and Health Care Providers) of Title 11 NYCRR (State Register August 22, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1102, 1109 and Articles 32, 41, 42 and 43; Public Health Law, Section 4403(1)(c).

Section 45 of Chapter 586 of the Laws of 1998 ("the Law"), commonly referred to as the external review law, gave the Commissioner of Health and the Superintendent of Insurance the authority to promulgate regulations to implement, inter alia, the financial risk transfer sections of the legislation. In particular, Sections 41-d and 41-e of the Law amended Insurance Law Sections 3217-b and 4325 to add a new paragraph (f) to each of those statutes. The amendments broadly discuss the requirement that no contract entered into between an insurer and a health care provider shall be enforceable if it includes terms that transfer financial risk to providers in a manner inconsistent with the provisions of Public Health Law Section 4403(1)(c).

Chapter 586 of the Laws of 1998 gave the Superintendent of Insurance and the Commissioner of Health broad powers to promulgate regulations regarding all aspects of the Law, including provisions that apply to the transfer of financial risk in contracts between an insurer and a health care provider. Based on this grant of authority, the Superintendent developed a rule, in consultation with the Commissioner of Health, to ensure that contractual arrangements between an insurer and a health care provider were consistent with Public Health Law Section 4403(1)(c).

Part 101 established minimum requirements by which an insurer, as defined in the rule, can assess the financial responsibility of a health care provider to ensure that such provider can fulfill its obligations under the financial risk transfer agreement. Previously, there were no regulatory requirements specifically addressing the method by which an insurer could determine the financial responsibility of the health care provider, and adequately protect itself and its subscribers against the risk of default by a health care provider and ensure fulfillment of the health care provider's obligations under the financial risk transfer agreement.

In 2002, the rule was amended (State Register January 30, 2002) to provide mechanisms to assess the financial responsibility and capability of health care providers to perform their obligations under certain financial risk sharing agreements and set forth standards pursuant to which providers may adequately demonstrate such responsibility and capability to insurers.

- Amendment of Subpart 64-2 (Insurance Regulation 35-C) (Liability Insurance Covering All-Terrain Vehicles) of Title 11 NYCRR (State Register August 22, 2001).

Statutory Authority: Insurance Law Sections 201, 301 and 5103; VTL, Section 2407.

VTL Section 2407 requires that an all-terrain vehicle ("ATV") be covered by a policy of liability insurance, which includes no-fault coverage for the pedestrian victims of ATV accidents. The amendment incorporated the applicable no-fault insurance forms into 11 NYCRR 65 (Insurance Regulation 68), which was adopted simultaneously.

In 2002, the rule was amended (State Register September 11, 2002) to update certain references in accordance with statutory amendments.

In 2004, the rule was amended (State Register May 19, 2004) to conform the fraud warning statement in the required no-fault claim

forms with the text (as revised in the Fourth Amendment to 11 NYCRR 86 (Insurance Regulation 95)) as then written in Part 86 of 11 NYCRR, to correct any incorrect references, addresses and typographical errors, and to present the forms in a more easily readable format.

- Repeal of Part 65 (Insurance Regulation 68) and Adoption of New Part 65 (Insurance Regulation 68) (Regulations Implementing the Comprehensive Motor Vehicle Insurance Reparations Act) of Title 11 NYCRR (State Register August 22, 2001).

Statutory Authority: Insurance Law Sections 201, 301 2601, 5521 and Article 51; VTL Section 2407.

Part 65 contains provisions implementing Insurance Law Article 51, known as the Comprehensive Motor Vehicle Insurance Reparations Act and popularly referred to as the “no-fault” law. No-fault insurance was introduced to rectify many problems that were inherent in the existing tort system that were utilized to settle claims, and to provide for prompt payment of health care and loss of earnings benefits. The no-fault insurance coverage endorsement contained in Subpart 64-2, which was incorporated into Part 65 by the 2001 amendment, implemented VTL Section 2407, which affords no-fault coverage to the pedestrian victims of ATV accidents.

The adopted rule reduced the time periods from 90 days to 30 days for notice of claim by claimants and from 180 days to 45 days for submission of health care claims, respectively. The Superintendent recognized that in rare circumstances, a claimant will not be able to provide notice, or a medical provider may not be able to submit a claim, within the new time periods. In light of such recognition, the Superintendent repealed the former requirement that a provider or claimant show that compliance was impossible in order to file a claim outside of the time requirements, and replaced it with a more flexible “reasonableness” standard that allows additional time for notice or submission of a claim if reasonable justification is provided.

The adopted rule also reflected the transfer of the no-fault conciliation function from the Department to an organization designated by the Superintendent. By this amendment of the conciliation procedures, rather than diminishing its role in the process, the Department strengthened its regulatory function regarding compliance with the no-fault insurance statutes. The Department continues to monitor conciliation activity and analyzes trends via reports generated regularly by the designated organization on all aspects of the conciliation function, such as provider overcharges, dilatory claims handling by insurers and over-utilization of the arbitration system by claimants’ representatives.

Prior to the effective date of the rule (September 1, 2001), a lawsuit was filed in the New York State Supreme Court seeking a stay of enforcement of the revised rule. Ultimately, the new Part 65 became effective as of April 5, 2002.

In 2003, the Superintendent adopted consolidated amendments to Subparts 65-3 (Insurance Regulation 68-C) and 65-4 (Insurance Regulation 68-D) (State Register February 5, 2003) to update certain references in accordance with statutory amendments. Recognizing that disputes involving the responsibility for payment of no-fault benefits would occur, the Legislature included in Insurance Law Section 5106 the authority for the Superintendent to promulgate or approve simplified arbitration procedures in order to expedite the payment of those benefits. Pursuant to that authority, the Superintendent implemented a financial assessment system in Part 65, which provides that insurers bear the operating costs of the arbitration system. Further, pursuant to statutory authority, the Superintendent revised the financial allocation process so that arbitrators may apportion costs to applicants in those cases when applicants have submitted frivolous claims without any factual or legal merit.

The amendment to Subpart 65-3 updated provisions relating to Personal Injury Protection Benefits (“PIP”) in conformance with changes to requirements regarding forms to be used by insureds, claimants and providers. The amendment to Subpart 65-4 revised the rulemakings and requirements applicable to the arbitration of no-fault claims. It was intended to make the system more efficient for all participants.

In 2004, Subpart 65-4 was amended (State Register February 4,

2004) to correct an erroneous cross reference and insert a requirement that inadvertently was omitted from the previously revised rule: the long-standing administrative procedure that the designated administrator of the no-fault administration system will consult with the Department before making final determinations on requests to recuse an arbitrator for conflict of interest reasons. The rulemaking also required that determinations shall be in writing and in a format approved by the Department.

Also in 2004, Subpart 65-3 was amended (State Register May 19, 2004) to conform the fraud warning statement contained in no-fault claim forms with the statutory language contained in 11 NYCRR 86 (Insurance Regulation 95), amend any incorrect references and typographical errors, and present the forms in a more easily readable format.

In 2007, Subparts 65-3 and 65-4 were amended (State Register March 14, 2007) to conform the rules to Chapter 452 of the Laws of 2005. The legislation codified the rulemakings contained within Part 65 that are applicable when multiple insurers may be responsible to the claimant for the processing of the claim for first party benefits. It also enhanced the current arbitration procedures to include an expedited eligibility hearing option, when required, to designate the insurer for first party benefits.

In 2013, the Superintendent adopted an amendment to Part 65 (State Register November 13, 2013) that added Subpart 65-5 (Insurance Regulation 68-E) that established standards and procedures for investigating and suspending, or removing the authorization for, health service providers to demand or request payment for health services under Article 51 of the Insurance Law upon findings of certain unlawful conduct reached after investigation, notice, and a hearing pursuant to Insurance Law Section 5109.

Also in 2013, Subpart 65-3 was amended (State Register February 20, 2013) to reduce the number of automobile personal injury protection claims that would have remained open indefinitely by: (i) requiring an applicant for benefits to either submit any requested verification within the applicant’s control or possession, or provide reasonable justification for failing to do so within 120 calendar days from the date of the initial verification request; (ii) reducing litigation and arbitration by providing that a technical defect in an insurer’s verification request, notice, or claim denial does not discharge the recipient’s obligation to comply with the request or notice or invalidate an otherwise proper claim denial; and (iii) preventing an injured person’s policy limit from being unjustly depleted by providing that no payment is due for services to the extent the charges exceed the applicable fee schedules or when the services for which payment is requested were not rendered.

In 2015, Subpart 65-4 was amended (State Register February 4, 2015) to revise the fee structure awarded to attorneys who prevail in no-fault disputes on behalf of applicants.

- Amendment of Part 20 (Insurance Regulations 9, 18 and 29) (Brokers and Agents - General) of Title 11 NYCRR (State Register November 7, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 1109, 2103, 2104, 2109, 2112, 2119, 2120 and 2121.

Insurance Law Sections 2119 and 2120 require that an agent or broker keep records that reasonably demonstrate moneys collected from insureds and that those records demonstrate that the portion of those funds that are held on behalf of insurers represent net premiums (premiums paid less commissions earned). Insurance Law Section 2121 acknowledges that a broker, who traditionally represents the insured, will be an agent of the insurer who delivers a contract, for purposes of premium collection.

The amendment underscored the requirement that an insured’s payments to a Department licensee must be clearly identified in the agent’s or broker’s records and that those premiums, when so identified, will be deemed paid to the insurer for the protection of the insured. The amendment clarified the records that are necessary to keep the regulated parties in compliance with the law. This allows the licensee, the insurer, and the consumer to readily resolve questions and complaints without regulatory intervention.

- Adoption of Part 420 (Insurance Regulation 169) (Privacy of

Consumer Financial and Health Information) of Title 11 NYCRR (State Register November 21, 2001).

Statutory Authority: Insurance Law Sections 201, 301, 308, 1505, 1608, 1712, 3217 and Article 24.

Title V of the Gramm-Leach-Bliley Act ("GLBA"), enacted into law by Congress as P.L. 106-102, required all "financial institutions" (including persons engaged in the insurance business) to comply with the privacy requirements contained therein. Pursuant to Section 505, Title V and regulations prescribed thereunder "shall be enforced. . . by the applicable State insurance authority. . . ." Failure by a state to establish rulemakings for privacy of consumer and customer financial information precludes the state from overriding the consumer protection regulations prescribed by a Federal banking agency under Section 45(a) of the Federal Deposit Insurance Act.

Section 501 of GLBA states that it "is the policy of the Congress that each financial institution has an affirmative and continuing obligation to respect the privacy of its customers and to protect the security and confidentiality of those customers' nonpublic personal information." The GLBA requires financial institutions to comply with certain obligations regarding disclosure of nonpublic personal information. State insurance authorities retain primary responsibility to regulate the activities of persons engaging in the business of insurance.

The rule assured that individual consumers and customers have an opportunity to prevent unwarranted disclosure of non-public personal financial and health information. Absent this rule, licensees of the Department would remain subject to the provisions of GLBA, but they would not have sufficient guidance to protect them from litigation challenging their attempts at compliance. In addition, consumers would not be adequately protected, because the Department would be unable to take action against licensees based upon violations of GLBA's provisions.

Comments on Insurance rulemakings may be submitted to Camielle Barclay, Associate Attorney – Camielle.Barclay@dfs.ny.gov; (212) 480-5299; New York State Department of Financial Services, One State Street, New York, NY 10002.

### 3. BANKING RULEMAKINGS

The following Banking rulemakings were adopted in 2018:

There were no new Banking regulation amendments or adoptions in 2018.

The following Banking rulemakings were adopted in 2016:

- New Part 422 (Inspecting, Securing and Maintaining Vacant and Abandoned Residential Real Property)

a. Description of rule: This rule establishes rules necessary to implement Real Property Actions and Proceedings Law Section 1308.

b. Legal basis for the rule: Real Property Actions and Proceedings Law §§ 1306, 1308 and 1310.

c. Need for the rule: The rule is necessary to outline the informational and timing requirements for vacant and abandoned property reports required by Real Property Actions and Proceedings Law Sections 1308.

The following Banking rulemakings were adopted in 2011:

There were no new Banking regulation amendments or adoptions in 2011.

The following Banking rulemakings were adopted in 2006:

- Amendment of Part 6.8 of the General Regulations of the Superintendent (Superintendent's Regulations: Additional Authority of Banks, Trust Companies, Savings Banks and Savings and Loan Associations Pursuant to Banking Law, Sections 14-g and 14-h: Overdraft Protection Charges)

a. Description of rule: This rule authorizes New York state-chartered banks, trust companies and thrift institutions to charge a daily overdraft or bounce protection fee on checks, other payment orders, or electronic transactions accepted or honored for which there are insufficient funds when an account does not have an overdraft line of credit pursuant to Section 108(5) of the Banking law or is not a linked account.

b. Legal Basis for the rule: Banking Law §§ 13.4, 14, 14-g and 14-h.

c. Need for rule: This rule is necessary to give New York state-chartered banks, trust companies and thrift institutions parity with national banks by providing them the ability to charge overdraft or bounce protection fees.

- Amendment of Part 6.9 of the General Regulations of the Superintendent (Superintendent's Regulations: Additional Authority of Banks, Trust Companies, Savings Banks and Savings and Loan Associations Pursuant to Banking Law, Sections 14-g and 14-h: Merger of a Bank or Trust Company with a Nonbank Affiliate)

a. Description of rule: This rule permits New York state-chartered banks and trust companies to merge with non-bank affiliates with the bank or trust company as the surviving entity, to the same extent as national banks.

b. Legal Basis for the rule: Banking Law §§ 13.4, 14, 14-g and 14-h.

c. Need for rule: This rule is necessary to give New York state-chartered banks and trust companies parity with national banks by providing them the ability to merge with non-bank affiliates.

- Amendment of Part 6.10 of the General Regulations of the Superintendent (Superintendent's Regulations: Additional Authority of Banks, Trust Companies, Savings Banks and Savings and Loan Associations Pursuant to Banking Law, Sections 14-g and 14-h: Investment in a Public Deposit Bank Subsidiary by a Savings Bank or Savings and Loan Association)

a. Description of rule: This rule permits New York state-chartered savings banks and savings and loan associations to invest in public deposit bank subsidiaries to same extent as federal thrift institutions.

b. Legal Basis for the rule: Banking Law §§ 13.4, 14, 14-g and 14-h.

c. Need for rule: This rule is necessary to give New York state-chartered savings banks and savings and loan associations parity with federal thrift institutions by providing them with the ability to charge overdraft or bounce protection fees.

- Amendment of Part 31 of the General Regulations of the Superintendent (Investments of Banks or Trust Companies in Certain Corporations: Atlantic Central Bankers Bank)

a. Description of rule: This rule permits New York state-chartered banks and trust companies to invest in the common stock of Atlantic Central Bankers Bank.

b. Legal Basis for the rule: Banking Law §§ 14.1(d) and 97.5.

c. Need for rule: This rule is necessary to give New York state-chartered banks and trust companies the ability to invest in the common stock of Atlantic Central Bankers Bank.

- Amendment of Part 32.1 of the General Regulations of the Superintendent (Maximum Charges for Payments Made Against Insufficient Funds, Uncollected Balances and Return Items: Certain Disclosures: Maximum Charges)

a. Description of rule: This rule provides New York state-chartered financial institutions guidance and limits regarding the charges that it may impose with respect to insufficient funds and return items.

b. Legal Basis for the rule: Banking Law §§ 14.1, 108.8, 202, 235-c and 383.13.

c. Need for rule: This rule is necessary to give New York state-chartered financial institutions clarity that the provisions pertaining to charges for checks subject to non-sufficient funds, return, and overdraft charges permit different charges to be imposed based on the type of the account, (e.g., consumer accounts, commercial accounts, etc.), to permit variation of the amount of such charges depending on whether the checks are paid, accepted or returned and to clarify that such charges all apply to electronic transactions and checks.

- Amendment of Part 32.1 of the General Regulations of the Superintendent (Maximum Charges for Payments Made Against Insufficient Funds, Uncollected Balances and Return Items: Certain Disclosures: Required Disclosures)

a. Description of rule: This rule states that New York state-chartered financial institutions must provide their depositors in writing the order in which it pays items drawn against a depositor's account.

b. Legal Basis for the rule: Banking Law §§ 14.1, 108.8, 202, 235-c and 383.13.

c. Need for rule: This rule is necessary because it requires New



York state-chartered financial institutions to provide notice to their depositors in writing the order in which it pays items drawn against a depositor's account.

- Amendments of Part 41 of the General Regulations of the Superintendent (Restrictions and Limitations on High Cost Home Loans)

a. Description of rule: This rule outlines the restrictions and limitations imposed on lenders making high cost home loans pursuant to Banking 6-l.

b. Legal Basis for the rule: Banking Law §§ 6-i, 6-l, 13 and 14.

c. Need for rule: This rule is necessary to conform the regulation to, and make it consistent, with Banking Law § 6-I which regulates the making of high cost home loans and establishes new penalties for violations of the law and certain remedies for homeowners who are affected by such violations.

- Amendments to Part 114 of the General Regulations of the Superintendent (Supervision and Regulation of Article XII Investment Company Holding Companies and Their Subsidiaries for Purposes of the European Union Financial Conglomerates Directive)

a. Description of rule: This rule sets forth the superintendent's examination, supervision, regulation, and enforcement authority over certain financial conglomerates.

b. Legal Basis for the rule: Banking Law § 14, Article XII.

c. Need for rule: This rule clarifies the superintendent's examination, supervision, regulation, and enforcement authority over certain financial conglomerates for purpose of carrying out equivalent supervision under the European Union Financial Conglomerates Directive.

- Amendments to Part 400 of the General Regulations of the Superintendent (Licensed Cashers of Checks)

a. Description of rule: This rule outlines the licensing requirements and business conduct of New York state licensed check cashers.

b. Legal Basis for the rule: Banking Law §§ 12, 37.3, 367, 371 and 372.

c. Need for rule: This rule implements and conforms Part 400 to changes in the Banking Law in relation to the cashing of checks for payees who are other than natural persons, additionally the rule incorporates the provisions of an earlier emergency regulation regarding the disclosure of check cashing fees.

- New Part 404 of the General Regulations of the Superintendent (Budget Planners/Delegation of Certain Activities)

a. Description of rule: This rule implements Article 12-C of the Banking Law regarding the licensing of Budget Planners in New York state and the Superintendent's authorization to examine such licensees.

b. Legal Basis for the rule: Banking Law §§ 12 and 587.

c. Need for rule: This rule is needed to provide protection to debtors when a licensed budget planner utilizes a third party "outsourcer" in the process of paying debtor funds to creditors of the debtors.

The following Banking rulemakings were adopted in 2001:

There were no new Banking regulation amendments or adoptions in 2001.

Comments on Banking Rulemakings may be submitted to Christine Tomczak, Assistant Counsel – Christine.Tomczak@dfs.ny.gov; (212) 709-1642; New York State Department of Financial Services, One State Street, New York, NY 10002.

#### 4. FINANCIAL SERVICES RULEMAKINGS

The following Financial Services rulemakings were adopted in 2018:

- Adoption of new Part 201 (Registration Requirements & Prohibited Practices for Credit Reporting Agencies) of Title 23 NYCRR (State Register July 3, 2018).

Statutory Authority: Financial Services Law Section 102, 201, 202, 301, 302 and 408

The rule was adopted to ensure that consumers and markets would be protected from unsafe and unsound practices of consumer credit reporting agencies and to ensure that those agencies would effectively address the ever-growing cybersecurity risks.

Comments on this rulemaking may be submitted to Eamon Rock,

Assistant Counsel – Eamon.Rock@dfs.ny.gov; (518) 402-3386; New York State Department of Financial Services, One Commerce Plaza, Albany, NY 12257.

There were no new or amended Financial Services rulemakings adopted in 2016 or 2011.





# GUIDANCE DOCUMENTS

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Not less than once each year, every agency shall submit to the Secretary of State for publication in the *State Register* a list of all Guidance Documents on which the agency currently relies [SAPA, section 202-e(1)]. However, an agency may be exempted from compliance with the requirements of SAPA section 202-e(1) if the agency has published on its website the full text of all Guidance Documents on which it currently relies [SAPA, section 202-e(2)].

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## Office of Temporary and Disability Assistance

The State Administrative Procedure Act (SAPA) § 202-e requires every State agency, at least once a year, to submit to the Secretary of State for publication in the New York State Register a list of guidance documents on which the agency currently relies and to provide information on where and how regulated parties and members of the public may inspect and obtain copies of the documents. Set forth below is the list of guidance documents relied upon by the New York State Office of Temporary and Disability Assistance (OTDA). Many of these documents are available for review on OTDA's website at [www.otda.ny.gov](http://www.otda.ny.gov). Copies of the documents may be requested by writing to OTDA's Public Information Office, 40 North Pearl Street, 16th Floor, Albany, New York 12243, by calling (518) 474-9516, or by e-mailing: [nyspio@otda.ny.gov](mailto:nyspio@otda.ny.gov). Arrangements can be made with that Office for inspection of the documents.

Comments related to the guidance documents should be submitted to: Joseph C. Mazza, Office of Temporary and Disability Assistance, 40 North Pearl Street, 16th Floor, Albany, New York 12243; or [Joseph.Mazza@otda.ny.gov](mailto:Joseph.Mazza@otda.ny.gov)

### MANUALS AND SOURCE BOOKS

1. Temporary Assistance Source Book
2. Temporary Assistance for Needy Families State Plan
3. Supplemental Nutrition Assistance Program (SNAP) Source Book
4. Home Energy Assistance Program Manual
5. Home Energy Assistance Program State Plan
6. Temporary Assistance Energy Manual
7. Cash Management Subsystem (CAMS) Manual
8. The Automated Budgeting and Eligibility Logic (ABEL) Reference Manual
9. Institute of Internal Auditors International Professional Practices Framework
10. Benefit Issuance Control Subsystem (BICS) Services Payments Processing (BSPP) Manual
11. Benefit Issuance Control Subsystem (BICS) Operations Manual
12. Electronic Benefit Transfer (EBT) Fiscal Manual
13. Fiscal Reference Manual: Policy and Procedures; Forms and Instructions; County Cost Allocation Plan; and New York City Cost Allocation Plan
14. GAO Government Auditing Standards
15. BICS Indirect Payment Processing Subsystem (IPPS) Manual
16. Local District Claiming System Users Manual
17. BICS Payment Issuance and Control System (PICS) Manual
18. State Data Exchange (SDX) Reference Guide
19. System Reference Manual (SRM)

20. Welfare Management System (WMS) Worker's Guide to Codes
21. Non Public Assistance (NPA) Food Stamp Desk Guide to Codes
22. IM Operational Handbook Authorization of Grants Manual
23. Budgeting Manual NPA Food Stamp Program
24. Budgeting Manual Public Assistance Program
25. Client Notices System (CNS) Codes & Text Catalogue
26. Client Notices Manual
27. Time Limit Tracking Manual
28. Temporary Assistance and Food Stamp Employment Policy Manual
29. Benefit Issuance Control Subsystem (BICS) Error List
30. COSO Guidance — Committee on Sponsoring Organizations of the Treadway Commission
31. eDRS Worker Manual
32. Disaster SNAP State Plan
33. SNAP Employment & Training Plan
34. New York State SNAP Management Evaluation Plan
35. Standards for Internal Control in New York State Government
36. WMS New York City Reference Manual
37. WMS Upstate System Reference Manual
38. WMS Code Cards
39. WMS Error Listing
40. State Plan for the Refugee Resettlement Program

ADMINISTRATIVE DIRECTIVES (ADMs), INFORMATIONAL LETTERS (INFs), LOCAL COMMISSIONER MEMORANDA (LCMs), GENERAL INFORMATION SYSTEM (GIS) MESSAGES, DEAR COLLEAGUE LETTERS (DCLs), OFFICE OF ADMINISTRATIVE HEARINGS (OAH) PROCEDURES TRANSMITTALS, AND OTHER ISSUANCES

### 2020

#### ADMs

- 20-ADM-15 2020-2023 Workforce Innovation and Opportunity Act (WIOA) Local Memorandum of Understanding
- 20-ADM-14 New SNAP-Only Application Form
- 20-ADM-13 Supplemental Nutrition Assistance Program Eligibility for Students Enrolled in a Program of Career and Technical Education or Qualified Educational Opportunity Center Program
- 20-ADM-12 Implementation of the Electronic LDSS-2921 (E-2921), Application for Certain Benefits and Services
- 20-ADM-11 2020-2021 Flexible Fund for Family Services (FFFS)
- 20-ADM-10 Homeless Services Plan and Outcome Reporting
- 20-ADM-09 Adoption of New Shelter Regulations
- 20-ADM-08 Stewart v. Roberts: Court Decision Impacts Policy in

SSL 131-n(1)(a), 18 NYCRR 352.23(b)(2), and 16-ADM-09 “Temporary Assistance Policy: Change in the Vehicle Resource Exemption and Lump Sum Set-Aside”

20-ADM-07 Elimination of Automated Finger Imaging System (AFIS) and Photo Imaging Requirements for Purposes of Public Assistance (PA)

20-ADM-06 Temporary Assistance Budgeting: 2020 Earned Income Disregard and Poverty Level Income Test

20-ADM-05 Requirement to Make Information Available to Nonparent Caregivers Relating to Available Services and Assistance Program

20-ADM-04 Implementation of Phase2 of the NYDocSubmit Mobile Application and On-Site Imaging Worker

20-ADM-03 Providing Services to Transgender, Gender Nonconforming, and Non-Binary People Experiencing Homelessness

20-ADM-02 District/Community Partnership to Support Individuals Diagnosed with Acquired Immune Deficiency (AIDS) or Human Immunodeficiency Virus (HIV)

20-ADM-01 Gender Designation “X”

LCMs

20-LCM-14 Revisions to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313

20-LCM-13 Code Blue Budgets

20-LCM-12 Child Support Incentives – Federal Fiscal Years 2018 and 2020

20-LCM-11 2020-2021 Home Energy Assistance Program (HEAP)

20-LCM-10 FFY 2020 – Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Able-Bodied Adults Without Dependents (ABAWD) Pledge Funds Allocations

20-LCM-09 Revised 2019-2020 Home Energy Assistance Program (HEAP) Administrative Allocations

20-LCM-08 COVID-19 Temporary Assistance Waiver Extension

20-LCM-07 Claiming Deadlines for Federal and State Reimbursement

20-LCM-06 Coronavirus Aid, Relief and Economic Security (CARES) Act Emergency Solutions Grant (ESG) Application

20-LCM-05 2020 New York State Summer Youth Employment Program Allocations

20-LCM-04 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Funds for FFY 2019

20-LCM-03 Supplemental Nutrition Assistance Program (SNAP) Revised Civil/Human Rights Complaint Procedures

20-LCM-02 Home Energy Assistance Program (HEAP) Administrative Allocations and Program Allocations

20-LCM-01 FFY 2020 Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) Allocations

INFs

20-INF-13 2020 State Minimum Wage Increase and the Effect on Temporary Assistance and Supplemental Nutrition Assistance Programs

20-INF-12 2021 Federal Cost-of-Living Adjustment (COLA) and 2021 SSI and SSP Maximum Monthly Benefit Levels Chart

20-INF-11 Further Revisions to the LDSS-5159 Notice of Utility-Related Action Form

20-INF-10 Temporary Housing Assistance (THA) for Sex Offenders - Updated Department of Corrections and Community Supervision Contact Lists

20-INF-09 COVID-19 and Refugee Cash Assistance Eligibility Period Extension

20-INF-08 Revisions of the Utility Related Action Form

20-INF-07 Exemption from Supplemental Nutrition Assistance Program (SNAP) Able-Bodied Adults Without Dependents (ABAWD) Requirements for Individuals who are Obviously Unfit for Employment

20-INF-06 Digest of Laws of 2019 Relating to Programs of the Office of Temporary and Disability Assistance

20-INF-05 Release of a New Manual Notice of Intent: LDSS-4004A NYC and Revisions to LDSS-4004A and LDSS-4004B

20-INF-04 Language Identification Tool (LDSS 5070-A, B and C) and District Language Access Resources Page

20-INF-03 Changes in the Earned Income Tax Credit (EITC) and Summary of Other Available Federal and State Tax Credits for Tax Year 2019

20-INF-02 Change in Internal Revenue Service Mileage Rates for 2020

20-INF-01 Revisions to the LDSS-4923, LDSS-4924, LDSS-4925 and LDSS-4926

GIS

12/24/20 - 20TA/DC115 – Delay in Processing of SDX Daily Files

12/23/20 - 20TA/DC114 – Guidance on TA and SNAP Employment Requirements during the COVID-19 Pandemic

12/18/20 - 20TA/DC113 – COVID-19 TA Waiver Extension Dates

12/16/20 - 20TA/DC112 – 2020-2021 Home Energy Assistance Program (HEAP) Emergency Benefit Component Opening

12/15/20 - 20TA/DC111 – Public Comment Period for the Federal

Fiscal Year 2021 New York State Caseload Reduction Report

12/15/20 - 20TA/DC110 – Timely Medicaid Eligibility Enrollment for Newborns on Temporary Assistance Cases

12/08/20 - 20TA/DC109 – COVID-19 December Emergency Allotments to SNAP Households

12/07/20 - 20TA/DC108 – COVID-19 Pandemic EBT - Second Group 2 Targeted Communication Effort

11/27/20 – 20TA/DC107 - COVID-19 Pandemic EBT Food Benefits – Targeted Text Outreach to Non-Redeemers

11/20/20 – 20TA/DC106 – New Notice of Death Match Results

11/18/20 – 20TA/DC105 – Requirement to Advise Certain SNAP Households of the Availability of Employment and Training Services

11/17/20 – 20TA/DC104 – Extended Assistance for Office of Refugee Resettlement (ORR) Populations Affected by COVID-19

11/16/20 – 20TA/DC103 – 2020-2021 Processing Temporary Assistance (TA) Requests for Energy Emergencies

11/10/20 - 20TA/DC102 – COVID-19 November Emergency Allotments to SNAP Households

11/09/20 – 20TA/DC101 – REISSUED COVID-19 SNAP Interview Requirement and Certification Period Extension Waiver Renewals

10/30/20 - 20TA/DC100 – Utility Moratorium on Terminations and Disconnections during the COVID-19 Pandemic

10/22/20 - 20TA/DC099 – 2020-2021 HEAP OSC Voucher Payment

10/20/20 - 20TA/DC098 – COVID-19 October Emergency Allotments to SNAP Households

10/16/20 - 20TA/DC097 – OAH Transmittal 20-05 - Allowing or Requiring Fair Hearing Appearances by Written, Telephonic, Video, or other Electronic Means

10/13/20 - 20TA/DC096 – COVID-19 SNAP Interview Requirement and Certification Period Extension Waiver Renewals

10/13/20 - 20TA/DC095 – COVID-19 Reactivation of Treasury Offset Program (TOP) Offsets

10/01/20 - 20TA/DC094 – HEAP 2020-2021 Opening Dates for Heating Equipment Repair & Replacement and Heating Equipment Clean & Tune

09/24/20 - 20TA/DC092 – COVID-19 Emergency Relief – Treatment of Supplemental Lost Wages Payments for Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) and the Home Energy Assistance Program (HEAP)

09/21/20 - 20TA/DC091 – Social Services District Responsibility for Timely Submission of Voter Registration Forms

09/17/20 - 20TA/DC090 – COVID-19 Telephone Signature Waiver Option Extension through December 31, 2020

09/09/20 - 20TA/DC088 – COVID-19 September Emergency Allotments to SNAP Households

09/02/20 - 20TA/DC087 – Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2020

09/01/20 - 20 TA/DC086 – HEAP Early Outreach

08/27/20 - 20 TA/DC085 – 2019-20 Home Energy Assistance Program (HEAP) Regular, Emergency, and Cooling Assistance Benefit Components Closing Date and Reminder of Heating Equipment Repair and Replacement (HERR) and Heating Equipment Clean and Tune (C&T) Components Closing Date

08/19/20 - 20TA/DC084 – Extension of Period for Replacement of SNAP Benefits Due to Loss of Food Caused by Power Outages

08/14/20 - 20TA/DC083 – Extension of Certain Requirements for Inspections of Hotels/Motels and Uncertified Shelters

08/14/20 - 20TA/DC082 – Statewide Waiver of the Able-Bodied Adults Without Dependents (ABAWD) Time Limits

08/13/20 - 20TA/DC081 – Lifeline Program Resources During the COVID-19 Pandemic

08/11/20 - 20TA/DC080 – COVID-19 August Emergency Allotments to SNAP Households

08/10/20 - 20TA/DC079 – Using Work Experience Program (WEP) Participation as a Temporary Assistance (TA) Recovery Source

08/06/20 - 20TA/DC078 – COVID-19 TA Waiver Extension Dates – August 2020

08/03/20 - 20TA/DC077 – 2020-2021 Home Energy Assistance Program (HEAP) TA – SNAP Pre-Autopay Vendor Information – Second Set of Reports

07/17/20 - 20TA/DC076 – OAH Allowing or Requiring Fair Hearing Appearances by Written, Telephonic, Video, or other Electronic Means

07/16/20 - 20TA/DC075 – COVID-19 Telephone Signature Waiver Option Extension

07/15/20 - 20TA/DC074 – COVID 19 July Emergency Allotments to SNAP Households

07/10/20 - 20TA/DC073 – COVID-19 Pandemic EBT Food Benefits – “Group 2” Payments

07/07/20 - 20TA/DC072 – COVID-19 TA Waiver Extension Dates

07/06/20 - 20TA/DC071 – Training for the myBenefits e-2921

07/02/20 - 20TA/DC070 – COVID-19 July Certification Periods Extension

06/30/20 - 20TA/DC069 – VA PARIS Match NYC

06/30/20 - 20TA/DC068 – Denial of Waiver to Extend July Certification Periods

06/29/20 - 20TA/DC067 – 2019 – 2020 Home Energy Assistance Program (HEAP) Revised Component Closing dates and Change to the Cooling Assistance Component (CAC)

06/25/20 - 20TA/DC066 – COVID-19 Telephone Signature Waiver Option Extension

06/23/20 - 20TA/DC065 – Date of Eligibility when an Applicant becomes a Recipient

06/17/20 - 20TA/DC064 – Instructions for Subscribing to New York State OTDA Emailings

06/12/20 - 20TA/DC063 – Applicants in Department of Corrections and Community Supervision Temporary Release Programs

06/16/20 - 20TA/DC062 – REISSUED - COVID-19 June Emergency Allotments to SNAP Households

06/09/20 - 20TA/DC061 – SNAP 2020-2021 Disaster Plan Local Emergency Contacts

06/09/20 - 20TA/DC060 – RFI Daily UIB Match Running Again

06/08/20 - 20TA/DC059 – 2020 Maintaining Uninterrupted Managed Care Enrollment for Individuals - Non-MAGI DOH OASAS

06/08/20 - 20TA/DC058 – 2020-2021 HEAP Pre-Autopay Vendor Information

06/07/20 - 20TA/DC057 – COVID-19 June 6, 2020 TA Expiration Dates

06/05/20 - 20TA/DC056 – RFI Daily UIB Match Not Running

05/29/20 - 20TA/DC055 – COVID-19 Telephone Signature Waiver Option Extension

05/29/20 - 20TA/DC054 – Extension of COVID-19 SNAP Interview Adjustment Waivers

05/27/20 - 20TA/DC053 – COVID-19: Resuming Computer Matches

05/27/20 - 20TA/DC052 – 2020 EID and Poverty Level Income Guidelines

05/26/20 - 20TA/DC051 – COVID-19 Pandemic EBT Food Benefits

05/26/20 - 20TA/DC050 – COVID-19 Special Claiming Code

05/20/20 - 20TA/DC049 – COVID-19 Telephone Signature Waiver Option

05/14/20 - 20TA/DC048 – COVID-19 TA and SNAP Employment Requirements

05/14/20 - 20TA/DC047 – COVID-19 Related TA CSR and Other Extensions

05/13/20 - 20TA/DC046 – Federal Pandemic Unemployment Compensation (FPUC) Payments Not Being Posted to RFI

05/12/20 - 20TA/DC045 – COVID-19 May Emergency Allotments to SNAP Households

05/11/20 - 20TA/DC044 – Stewart v. Roberts: Court Decision Impacts Policy in SSL 131-n(1)(a), 18 NYCRR 352.23(b)(2), and 16-ADM-09 “Temporary Assistance Policy: Change in the Vehicle Resource Exemption and Lump Sum Set-Aside”

05/08/20 - 20TA/DC043 – COVID-19 Executive Order Expiration Date

05/07/20 - 20TA/DC042 – Additional COVID-19 Questions and Answers

05/07/20 - 20TA/DC041 – COVID-19 and DV Waiver Extension

05/06/20 - 20TA/DC040 – Clarifications on COVID-19 Related Systems Actions

05/05/20 - 20TA/DC039 – COVID-19 Temporary Assistance Questions and Answers

05/04/20 - 20TA/DC038 – COVID-19 June Certification Periods Extension

05/04/20 - 20TA/DC037 – Informing Social Services Districts of the Issuance of a One-Time Restored Temporary Assistance Benefit Payment to Eligible Class Members

04/30/20 - 20TA/DC036 – Q&As about COVID-19 Mask Provisions

04/29/20 - 20TA/DC035 – COVID-19 Emergency Relief- Federal Pandemic Unemployment Compensation Treatment for Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) and the Home Energy Assistance Program (HEAP)

04/23/20 - 20TA/DC034 – 2019-2020 Home Energy Assistance Programs – Revised Component Closing Dates and Third HEAP Emergency Benefit

04/21/20 - 20TA/DC033 – Able Bodied Adults Without Dependents (ABAWDs) Override Transactions due to COVID-19

04/20/20 - 20TA/DC032 – Use of SNAP E&T Funds to Purchase Laptops Necessary for Remote Learning

04/20/20 - 20TA/DC031 – FFY 2020 Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement Grants

04/17/20 - 20TA/DC030 – Home Energy Assistance Program (HEAP) 2019-2020 Cooling Assistance Component Opening Date

04/10/20 - 20TA/DC029 – COVID-19 Emergency Allotments to SNAP Households

04/10/20 - 20TA/DC028 – COVID-19 April 11, 2020 Executive Order Expiration Date

04/06/20 - 20TA/DC027 – COVID-19 Emergency Relief - Treatment of Families First Coronavirus Response Act payments for Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) and the Home Energy Assistance Program (HEAP)

04/03/20 - 20TA/DC026 – COVID-19 SNAP Interview Requirements

04/01/20 - 20TA/DC025 – 2020-2021 Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)



03/31/20 - 20TA/DC024 – Temporary Modification to the Case Supervisory Review Approval Process in Response to COVID-19

04/01/20 - 20TA/DC023 – COVID-19 Questions and Answers - 2nd Update

03/31/20 - 20TA/DC022 – COVID-19 SNAP Interview Requirements

03/30/20 - 20TA/DC021 – Temporary Able-Bodied Adults Without Dependents (ABAWD) Time Limit Suspension due to COVID-19 Pandemic

03/27/20 - 20TA/DC020 – Suspension of Treasury Offset Program (TOP) Offsets

03/24/20 - 20TA/DC019 – COVID-19 Certification Periods Extension

03/20/20 - 20TA/DC018 – District Office Hours and Availability to Meet Needs During COVID-19

03/17/20 - 20TA/DC017 – HEAP Clean and Tune Flyer (Pub-5157)

03/16/20 - 20TA/DC016 – COVID-19

03/13/20 - 20TA/DC015 – Temporary Suspension of In-Person Interview and Application Requirements for HEAP

03/12/20 - 20TA/DC014 – OAH Demonstration Project – Conducting Hearings by Telephone, Video, and Other Means of Communication

03/12/20 - 20TA/DC013 – COVID-19

02/21/20 - 20TA/DC012 – Shelter Supplement Plan Submissions and Revisions

02/20/20 - 20TA/DC011 – Update on the “Inadmissibility on Public Charge Grounds” Final Rule

02/13/20 - 20TA/DC010 – 200% of Poverty Income Standards Chart – June 1, 2020 through May 31, 2021

02/13/20 - 20TA/DC009 – 2019-2020 HEAP Revised Component Closing Dates and Secondary Emergency Benefit

02/10/20 - 20TA/DC008 – Release of Revised LDSS-4732B: “District of Fiscal Responsibility (DFR) Determination Worksheet”

01/29/20 - 20TA/DC007 – Release of Revised LDSS-5072 “Informational Letter Regarding Able Bodied Adult Without Dependents (ABAWD) Requirements” and LDSS-5127 “ABAWD Work Activity Letter”

01/29/20 - 20TA/DC006 – Definition of a Work Program for Purposes of Meeting the Work Requirement for Able Bodied Adults Without Dependents (ABAWD).

01/22/20 - 20TA/DC005 – SNAP Claims for Multi-Person Cases with Deceased Individual(s)

01/22/20 - 20TA/DC004 – 2020 SSI COLA NYSNIP Standard Benefit Amount Adjustments

01/21/20 - 20TA/DC003 – ABAWD Waiver Status

01/14/20 - 20TA/DC002 – HEAP HERR Benefits and Heat Pumps

01/13/20 - 20TA/DC001 – Finger Imaging requirements for Temporary Assistance

DCLs (Child Support)

- 01/13/2020 - Federal OCSE Update on Earthquake Impact - Puerto Rico’s Child Support Program

- 01/17/2020 - Revised National Medical Support Notice - Part A/Medical Support Execution

- 02/07/2020 - Federal OCSE Update on Earthquake Impact - Puerto Rico’s Child Support Program

- 02/14/2020 - Veteran Assistance and Veterans Benefits

- 02/19/2020 - Updated Child Support Guidelines Figures and Publication of the Child Support Standards Chart

- 04/09/2020 - COVID-19 and Providing Essential Services Safely During Office Hours

- 04/28/2020 - Responses to Questions from April 7, 2020 COVID-19 Check-In Conference Call

- 05/28/2020 - Special Collection - Alaska Permanent Fund Dividend

- 06/09/2020 - Benefits of Using Electronic Document Exchange (EDE) During COVID-19

- 06/10/2020 - Notice to Vacate Restraining Notice or Execution -Family Violence Option Full Child Support Enforcement Waiver and Bankruptcy

- 06/15/2020 - Child Support Program Manual: Account Creation and Intake Chapters

- 06/18/2020 - Revised National Medical Support Notice - Parts A and B/Medical Support Execution

- 06/18/2020 - Taxpayer First Act Section 3002 Interim Guidance

- 06/24/2020 - Process Year 2021 Tax Refund Offset Delete Certified for Offset Values

- 07/01/2020 - Updated Guidance for Retroactive Modification of Support and Crediting of Overpayments

- 08/24/2020 - Remote Testimony and Telecommunication While Working Remotely

- 09/08/2020 - ECS Enhancement - Child Support Helpline Escalations

- 10/23/2020 - Domestic Violence and the Child Support Program: Resources, Training, and Tools

- 12/15/20 - Interstate Cases with Illinois Order - Interest Adjustments

OAH Transmittals

20-05 Allowing or Requiring Fair Hearing Appearances by Written, Telephonic, Video, or Other Electronic Means

20-04 Allowing or Requiring Fair Hearing Appearances by Written, Telephonic, Video, or Other Electronic Means

20-03 Allowing or Requiring Fair Hearing Appearances by Written, Telephonic, Video, or Other Electronic Means

20-02 Demonstration Project – Conducting Hearings by Telephone, Video, and Other Means of Communication

20-01 Redacting Decisions After Fair Hearing

Misc.

9/29/2020 Interim Guidance for Operators of Congregate Facilities Providing Shelter to Individuals Who are Homeless

2019

ADMs

19-ADM-12 United States Department of Agriculture (USDA) SNAP Civil Rights Requirements

19-ADM-11 Guidance for Providing Temporary Assistance Information to Victims of Domestic Violence

19-ADM-10 Referral for Child Support Services (LDSS-5145)

19-ADM-09 United States Repatriation Program (USRIP) District Responsibilities

19-ADM-08 Application for Child Support Services (LDSS-5143)

19-ADM-07 Implementation of Phase 1 of the NYDocSubmit Mobile Application

19-ADM-06 2019-2020 Flexible Fund for Family Services (FFFS)

19-ADM-05 Payment of Residential Services for Victims of Domestic Violence

19-ADM-04 Temporary Assistance Budgeting: 2019 Earned Income Disregard and Poverty Level Test

19-ADM-02 Change Authorized by Chapter 275 of the Laws of the 2017 Regarding Financial Literacy Instruction

19-ADM-01 Changes to Conciliation and Sanction Procedures for Noncompliance with Temporary Assistance Employment Requirements in New York City

LCMs

19-LCM-12 Child Support Incentives – Federal Fiscal Years 2017 and 2019

19-LCM-09-T Inadmissibility on Public Charge Grounds Final Rule

19-LCM-11 Revisions to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313

19-LCM-10 2019-2020 Home Energy Assistance Program (HEAP)

19-LCM-09 Inadmissibility on Public Charge Grounds Final Rule

19-LCM-08 Claiming Deadlines for Federal and State Reimbursement

19-LCM-07 2020-2021 Biennial Temporary Assistance and Supplemental Nutrition Assistance Program (SNAP) Employment Plan

19-LCM-06 Additional 100% Supplemental Nutrition Assistance Program Employment and Training Allocations - FFY 2019

19-LCM-05 2019 New York State Summer Youth Employment Program Allocations

19-LCM-04 Supplemental Nutrition Assistance Program Employment and Training Allocations FFY 2019

19-LCM-03 Homeless Management Information System (HMIS)

19-LCM-02 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Funding Requests for FFY 2018

19-LCM-01 2018-2019 Home Energy Assistance Program (HEAP) Administrative Allocations and Program Allocations

INFs

19-INF-08 2019 State Minimum Wage Increase and Its Effect on Temporary Assistance and Supplemental Nutrition Assistance Programs

19-INF-07 Revisions to the LDSS-4579 "Non-Citizen Eligibility Desk Aid"

19-INF-06 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2020 and Updated SSI and SSP Benefit Levels Chart

19-INF-05 Revision to the LDSS-5062A Supplemental Nutrition Assistance Program (SNAP) Employability/ABAWD Code Desk Guide

19-INF-04 2019 Summer Food Service Program (SFSP)

19-INF-03 Change in Internal Revenue Service Mileage Rates for 2019

19-INF-01 Digest of Laws of 2018 Relating to Programs of the Office of Temporary and Disability Assistance

GIS

12/23/19 - 19TA/DC056 – NY State of Health to SNAP Outreach

12/16/19 - 19TA/DC055 – New "And Justice for All" Poster

12/09/19 - 19TA/DC054 – 2019-2020 Holiday Moratorium Schedule for New York State PSC Regulated and Municipal Utility Companies

11/15/19 – 19TA/DC053 – Posting Requirement for Notice of Class Action Settlement for the Class Action Lawsuit, Karamalla et. al. v. Devine (Index no. 2015-000107, Erie County)

11/08/19 - 19TA/DC052 – Finger Imaging Requirements for Temporary Assistance

11/05/19 - 19TA/DC051 – Processing Temporary Assistance (TA) Requests for Energy Emergencies

10/31/19 - 19TA/DC047 – Updated – Shelter Supplement Plan Reminder and Proper Coding for Districts with Currently Approved Plans

10/28/19 - 19TA/DC050 – Duplicate Payments

10/24/19 - 19TA/DC049 – Social Security Administration (SSA) Government to Government Services Online (GSO) Registration

10/16/19 - 19TA/DC048 – NYDocSubmit Release 1.3

10/15/19 - 19TA/DC047 – Shelter Supplement Plan Reminder and Proper Coding for Districts with Currently Approved Plans

10/11/19 - 19TA/DC046 – 2019-2020 HEAP OSC Voucher Payments

10/08/19 - 19TA/DC045 – Refugee Cash Assistance and the Treatment of Reception and Placement Grants

09/20/19 - 19TA/DC044 – Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Policy Reminder Regarding Strikers

08/30/19 - 19TA/DC043 – Home Energy Assistance Program (HEAP) 2018-2019 Cooling Assistance Component, Heating Equipment Repair and Replacement, and Heating Equipment Clean and Tune component closing dates

08/20/19 - 19TA/DC042 – Upstate and NYC – Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2019

08/06/19 - 19TA/DC041 – 2019-2020 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Report

08/02/19 - 19TA/DC040 – Posting Requirement for Notice of Proposed Settlement for the Federal Court Lawsuit Brooks et. al. v. Roberts, No. 16-CV-1025

08/01/19 - 19TA/DC039 – Informing Social Services Districts of a Notice to Potential Class Members

07/30/19 - 19TA/DC038 – SNAP and TA Date of Status (DOS) Determination for Qualified Battered Non-Citizens

07/30/19 - 19TA/DC037 – Exemption from Supplemental Nutrition Assistance Program (SNAP) Able Bodied Adults Without Dependents (ABAWD) requirements for individuals in receipt of Worker's Compensation

07/29/19 - 19TA/DC035 – Calculation of Utility Arrears for Households Enrolled in Budget Billing

07/17/19 - 19TA/DC036 – Client Notice System (CNS) R15 Code for Domestic Violence Shelter Types

06/20/19 - 19TA/DC034 – SNAP 2019-2020 Disaster Plan Local Emergency Contacts w/NYC

06/17/19 - 19TA/DC033 – Necessary Action by HEAP, TA, and SNAP Workers to Directly Issue HEAP Heat-Included Payments to Utility Vendors

05/03/19 - 19TA/DC032 – FFY 2019 Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement Grants

05/01/19 - 19TA/DC031 – Treatment of 2020 Census Income for Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) and the Home Energy Assistance Program (HEAP)

04/25/19 - 19TA/DC030 – Finger Imaging Requirements for Temporary Assistance Applicants and Recipients

04/23/19 - 19TA/DC029 – Social Services District Responsibility for Timely Submission of Voter Registration Forms

04/19/19 - 19TA/DC028 – USDA Online SNAP Purchasing Pilot

04/17/19 - 19TA/DC027 – HEAP 2018-2019 Cooling Assistance Component Opening

04/10/19 - 19TA/DC026 – Language Access

04/04/19 - 19TA/DC025 – 2019-2020 Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

03/28/19 - 19TA/DC024 – 2019 – 2020 Home Energy Assistance Program Nominal Benefit

03/28/19 - 19TA/DC023 – HEAP BICS Locks

03/15/19 - 19TA/DC022 – Home Energy Assistance Program (HEAP) 2017-2018 Heating Equipment Clean and Tune closing date, and 2018-2019 Heating Equipment Clean and Tune opening date

03/14/19 - 19TA/DC021 – 200% of Poverty Income Standards Chart – June 1, 2019 through May 31, 2020

02/25/19 - 19TA/DC020 – New York State Nutrition Improvement Project (NYSNIP) Mass Undercare Cost of Living Adjustment (COLA) Income Update

02/20/19 - 19TA/DC019 – Upstate - Notification of Compressed Issuance Cycle for March Recurring SNAP Benefits

02/20/19 - 19TA/DC018 – NYC - Notification of Compressed Issuance Cycle for March Recurring SNAP Benefits

02/14/19 - 19TA/DC017 – 2018-2019 Home Energy Assistance Program – Second Emergency Benefit and Revised Component Closing Dates

02/11/19 - 19TA/DC016 – Partial Federal Government Shutdown and Emergency Food Replacement

02/08/19 - 19TA/DC015 – Release of Revised LDSS-4826B Interview/Verification Guide for the LDSS-4826 Supplemental Nutrition Assistance Program (SNAP) Application/Recertification

02/05/19 - 19TA/DC014 – Exemption from Supplemental Nutrition Assistance Program (SNAP) Work Requirements for Individuals who are a Regular Participant in a Drug or Alcohol Treatment Program.

01/31/19 - 19TA/DC013 – HEAP Heater Benefit Balance Payment Issuance

01/16/19 - 19TA/DC012 – NYC Revised Partial Federal Government Shutdown and Supplemental Nutrition Assistance Program (SNAP) Benefits for February 2019 Early Issuance Public Notice Posters

01/16/19 - 19TA/DC011 – Deadline for Processing ABAWD Exclusion overrides October 2018, November 2018 and December 2018

01/15/19 - 19TA/DC010 – Upstate – Partial Federal Government Shutdown and Supplemental Nutrition Assistance Program (SNAP) Benefits for February 2019 Early Issuance Public Notice Upstate Spanish Poster

01/14/19 - 19TA/DC009 – Partial Federal Government Shutdown and Supplemental Nutrition Assistance Program (SNAP) Benefits for February 2019 Early Issuance Public Notice Poster

01/14/19 - 19TA/DC008 – Updated and Revised Information about The Partial Federal Government Shutdown and Supplement Nutrition Assistance Programs (SNAP) Benefits for February 2019

01/14/19 - 19TA/DC007 – Release of Revised LDSS-5072 Informational Letter Regarding Able-Bodied Adults Without Dependents (ABAWD) Requirements and LDSS-5127 Able-Bodied Adults Without Dependents (ABAWD) Work Activity Letter

01/11/19 - 19TA/DC006 – Partial Federal Government Shutdown and Supplement Nutrition Assistance Programs (SNAP) Benefits for February 2019 (upstate)

01/11/19 - 19TA/DC005 – Partial Federal Government Shutdown and Supplement Nutrition Assistance Programs (SNAP) Benefits for February 2019 (NYC)

01/11/19 - 19TA/DC004 – Temporary Assistance Program Policies Regarding Federal Government Employees Effected by the Partial Federal Government Shutdown

01/10/19 - 19TA/DC003 – Partial Federal Government Shutdown and Supplemental Nutrition Assistance Programs (SNAP) Benefits for February 2019

01/08/19 - 19TA/DC002 – Partial Federal Government Shutdown and Supplement Nutrition Assistance Programs (SNAP) Benefits

01/04/19 - 19TA/DC001 – ‘NX’ Nominal HEAP Benefits Issued During a Recertification or Undercare Transaction (Upstate Only)

DCLs (Child Support)

- 01/03/2019 - Child Support Program Manual: Paternity Establishment Chapter

- 01/18/2019 - Child Support Payable through the Support Collection Unit without a Direct Application to the Court for Child Support Services

- 04/02/2019 - Child Support Program Manual: Interstate Chapter

- 06/25/2019 - Child Support Program Manual - Financial Investigations and Property Execution Chapters

- 07/24/2019 - Notice to Recent Applicants and Current Recipients of Child Support Services of Increase in Annual Service Fee

- 08/02/2019 - Child Support Program Manual - Support Establishment and Personal Injury Claims Chapters

- 08/15/2019 - Department of Motor Vehicles License Suspension Law Extended

- 08/16/2019 - Notification Process for Incarcerated Noncustodial Parents

- 09/17/2019 - Chapter 313 of the Laws of 2019

- 11/01/2019 – Electronic Income Withholding Orders – Employer Acknowledgment File Processing Enhancements

- 11/05/19 – Adoption of New York State Regulatory Amendments – Income Withholding

- 11/25/19 – ECS Enhancement – Returned Deposit Items Report

- 11/25/19 – Revised Procedures – Walk In Payments related to Collection Actions taken by New York State Department of Taxation and Finance

- 12/16/19 – Short Form Application for Child Support Services in Connection with an Application for a Divorce

OAH Transmittals

19-03 New FHIS Coding for 1915c Children’s Waiver and New Agency, CYES for Children and Youth Evaluation Service

19-02 New FHIS Agencies and Coding for Health Homes

19-01 Personal Appearance Waiver Instructions  
2018

ADMs

18-ADM-09 Supplemental Nutrition Assistance Program (SNAP) Able Bodied Adults Without Dependents (ABAWDs) Policy Update and Guidance on the New 36-Month Time Period

18-ADM-08 Change to the Minimum Durational Sanction Periods for Supplemental Nutrition Assistance Program (SNAP) Employment Sanctions

18-ADM-07 Able-Bodied Adults Without Dependents (ABAWD) Work Activity Letter

18-ADM-06 Unclaimed Child Support Funds

18-ADM-05 30% Income Contribution for Individuals Diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or Human Immunodeficiency Virus (HIV) and Changes to Maximum Amounts Allowed for Emergency Shelter Allowances (ESA)

18-ADM-04 2018-19 Flexible Fund for Family Services (FFFS)

18-ADM-03 Workforce Innovation and Opportunity Act (WIOA) Local Memorandum of Understanding Guidance and Templates

18-ADM-02 Temporary Assistance Budgeting: 2018 Earned Income Disregard and Poverty Level Test

18-ADM-01 Integrated Eligibility System (IES) Quick Win: Enhanced Social Security Number Validation Procedures for Applicants

LCMs

18-LCM-21 District Allocation

18-LCM-20 2018-2019 Home Energy Assistance Program (HEAP)

18-LCM-19 Child Support Incentives – Federal Fiscal Years 2016 and 2018

18-LCM-18 Referral of Persons Residing in Temporary Housing to Health Homes Services

18-LCM-17 Claiming Deadlines for Federal and State Reimbursement

18-LCM-16 2018-2019 Home Energy Assistance Program (HEAP) Early Mail Out Process and Revised 2017-2018 HEAP Administrative Allocations

18-LCM-15 FFY 2018 Able-Bodied Adult Without Dependents (ABAWD) Pledge Fund Updated

18-LCM-14 Implementation of Administrative Directive 17-ADM-11: Questions and Answers

18-LCM-13 Noncustodial Parent Employment Program

18-LCM-12 Revised: 2017-18 Home Energy Assistance Program (HEAP) Programs Allocations

18-LCM-11 2018 New York State Summer Youth Employment Program Allocations

18-LCM-10-T Use and Safeguarding of Protected Information

18-LCM-10 Use and Safeguarding of Protected Information

18-LCM-09 SNAP Bonus Award Allocation

18-LCM-08 2017-18 Home Energy Assistance Program (HEAP) Cooling Assistance Component

18-LCM-07 2017-2018 Home Energy Assistance Program (HEAP) Additional Administrative Allocations

18-LCM-06 2017-18 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Benefit

18-LCM-05 Supplemental Nutrition Assistance Program Employment and Training Allocations – FFY 2018

18-LCM-04 Supplemental Nutrition Assistance Program Employment and Training (SNAP E & T) Dependent Care Requests for FFY 2017

18-LCM-03 2017-18 Home Energy Assistance Program Administrative Allocations and Program Allocations

18-LCM-02 Questions and Answers Regarding 17-ADM-08 “Background Investigations of Employees with Access to Federal Tax Information”



18-LCM-01 OTDA Contract with Medical Providers for Consultative Medical and Psychological Examinations and Intelligence Assessments

INFs

18-INF-17 2018 State Minimum Wage Increase and Its Effect on Temporary Assistance and Supplemental Nutrition Assistance Programs.

18-INF-16 Revisions to the LDSS-4826B Interview/Verification Guide for the LDSS-4826 Supplemental Nutrition Assistance Program (SNAP) Application/Recertification

18-INF-15 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2019 and Updated SSI and SSP Benefit Levels Chart

18-INF-14 Cost Avoidance (CA) Calculations for Program Integrity Initiatives

18-INF-13 Revisions to the Supplemental Nutrition Assistance Program (SNAP) Application/Recertification (LDSS-4826) (Rev. 2/18) and How to Complete the SNAP Application/Recertification and Applicant/Recipient Rights and Responsibilities (LDSS-4826A) (Rev. 2/18)

18-INF-12 Release of Work Pays Infographic and Factsheet

18-INF-11 Best Practice Guidance on the U. S. Department Housing and Urban Development's (HUD) Coordinated Entry Process for Victims of Domestic Violence to Access Homeless Housing Resources

18-INF-10 Revisions to LDSS-4887 Mail-In Recert/Eligibility Questionnaire

18-INF-09 Temporary Assistance Policy: Questions and Answers

18-INF-08 2018 Summer Food Service Program (SFSP)

18-INF-07 Criminal Record Sealing Under Criminal Procedure Law § 160.59

18-INF-06 Supplemental Nutrition Assistance Program (SNAP) National Directory of New Hires (NDNH) Matches Added to Verified Employment Data (VED) Resource within Resource File Integration (RFI)

18-INF-05 Personal Needs Allowances (PNA) in Non-Medical and Medical Facilities Desk Aid

18-INF-04 Change in Internal Revenue Service Mileage Rates

18-INF-03 Digest of Laws of 2017 Relating to Programs of the Office of Temporary and Disability Assistance

GIS

12/31/18 - 18TA/DC051 – SSI COLA NYSNIP Standard Benefit Amount Adjustments

12/28/18 - 18TA/DC050 – Availability of Denial Reason Code H97 – Receiving HEAP on Another Case (UPSTATE ONLY)

12/28/18 - 18TA/DC049 – 2018-2019 Home Energy Assistance Program (HEAP) Emergency Benefit Component Opening

12/12/18 – 18TA/DC048 – Release of Revised LDSS-4310 “Periodic Report” and LDSS-4310A “Follow-Up to the Periodic Report”

12/10/18 - 18TA/DC047 – 2018-2019 Holiday Moratorium Schedule for New York State Public Service Commission (PSC) Regulated and Municipal Utility Companies

11/29/18 – 18TA/DC046 – Availability of a new SNAP E&T Cognos report: SNAP Budgeted Earned Income/Employment Schedule

11/21/18 – 18TA/DC045 – Release of Revised LDSS-3620/3620 NYC and LDSS-3621/3621 NYC

11/21/18 – 18TA/DC044 – “Important Information About What Changes You Must Report for Supplemental Nutrition Assistance Program (SNAP)”

11/20/18 – 18TA/DC043 – Release of Revised LDSS-3152 “Action Taken on Your Supplemental Nutrition Assistance Program (SNAP) Benefits Case” and LDSS-3152NYC “Action Taken on Your Supplemental Nutrition Assistance Program (SNAP) Benefits Case (NYC)”

11/19/18 – 18TA/DC042 – Federal Actions Regarding Temporary Protected Status Designations

11/15/18 – 18TA/DC041 – Processing TA Requests for Energy Emergencies

10/31/18 – 18TA/DC040 – 2018-2019 HEAP OSC Voucher Payment (UPSTATE ONLY)

10/19/18 - 18TA/DC039 – Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement (HERR) Closing Date, and extension of the Heating Equipment Clean and Tune (C&T) component

10/19/18 - 18TA/DC038 REVISED – Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2018 LDSS-5006 Notice to all SNAP Recipients

10/16/18 - 18TA/DC038 – Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2018 LDSS-5006 Notice to all SNAP Recipients

10/10/18 - 18TA/DC037 – 2018-2019 HEAP OSC Voucher Creation and Payment (UPSTATE ONLY)

10/01/18 - 18TA/DC036 – Treatment of Hurricane Florence Evacuees Applying for Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) and Medicaid

09/28/18 - 18TA/DC035 – Reminder: SNAP Claim Policy and Administration

09/25/18 - 18TA/DC034 – Release of Revised LDSS-4943 “Supplemental Nutrition Assistance Program (SNAP) Benefits Categorical Eligibility Desk-Aid”

09/25/18 - 18TA/DC033 – Able-Bodied Adults Without Dependents (ABAWD) Work Activity Letter

09/24/18 - 18TA/DC032 – 2018-2019 Home Energy Assistance Program Forms Ordering and Availability

09/17/18 - 18TA/DC031 – New Type of Office of Alcohol and Substance Abuse Services (OASAS) Certified Providers

08/30/18 - 18TA/DC030 – Roster of Good Cause Claims

08/30/18 - 18TA/DC029 – ‘NX’ Nominal HEAP Benefit (UPSTATE ONLY)

08/27/18 - 18TA/DC028 – Closing of the 2017-2018 Home Energy Assistance Program (HEAP) Cooling Assistance Component and deadline for 2017-2018 HEAP administrative funds

08/22/18 - 18TA/DC027 – Upstate and NYC – Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2018

08/17/18 - 18TA/DC026 – Social Services Districts (districts) Interim Assistance Reimbursement (IAR) Responsibilities

08/07/18 - 18TA/DC025 – 2018-2019 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Report (UPSTATE ONLY)

06/28/18 - 18TA/DC024 – SNAP 2018-19 Disaster Plan Local Emergency Contacts

06/28/18 - 18TA/DC023 – Clarification of Payment Dates for Congregate Care Level II Facilities

06/18/18 - 18TA/DC022 – Retention of Temporary Assistance Records

06/14/18 - 18TA/DC021 – Non-Assistance Payment Types for Authorization of Temporary Assistance (TA) Emergency or Immediate Needs (UPSTATE ONLY)

06/07/18 - 18TA/DC020 – Out-of-State SNAP Participation for Able-Bodied Adults Without Dependents (ABAWD) Tracking

06/06/18 - 18TA/DC019 – 2018-2019 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Report (UPSTATE ONLY)

05/24/18 - 18TA/DC018 Social Services District Responsibility for Timely Submission of Voter Registration Forms

05/21/18 - 18TA/DC017 FFY 2018 Supplemental Nutrition Assistance Program (SNAP) Process Technology Improvement Grants

05/03/18 - 18TA/DC016 September 11th Victim Compensation Fund Reauthorization

04/30/18 - 18TA/DC015 Issuing Nonrecurring Temporary Assistance (TA) Emergency Payments on an Active Non-Temporary Assistance Supplemental Nutrition Assistance Program Case, an Active Medicaid Case or at the Time of a TA Application Denial (UPSTATE ONLY)



04/27/18 - 18TA/DC014 2017-18 Home Energy Assistance Program Regular and Emergency Benefit Components Closing Date

04/25/18 - 18TA/DC013 Systematic Alien Verification for Entitlements (SAVE) Program: Paperless Processing Update

04/06/18 - 18TA/DC012 \$21 Nominal HEAP Benefit Advance Payment

04/04/18 - 18TA/DC011 Supplemental Nutrition Assistance Program (SNAP) National Directory of New Hires (NDNH) Matches Added to Verified Employment Data (VED) Resource within Resource File Integration (RFI) (UPSTATE ONLY)

03/30/18 - 18TA/DC010 Home Energy Assistance Program Nominal Benefit Advance Payment

03/29/18 - 18TA/DC009 2018 – 2019 Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

03/28/18 - 18TA/DC008 Loss of Food – March Snow Storms – USDA Approved Replacement (UPSTATE ONLY)

03/20/18 - 18TA/DC007 Important Notification about April 2018 State Supplement Program Payments

03/09/18 - 18TA/DC006 Loss of Food – March Storms (UPSTATE ONLY)

03/07/18 - 18TA/DC005 Release of Revised LDSS-4732B: “District of Fiscal Responsibility (DFR) Determination Worksheet”

02/16/18 - 18TA/DC004 200% of Poverty Income Standards Chart – June 1, 2018 through May 31, 2019

02/08/18 - 18TA/DC003 2017-18 Home Energy Assistance Program (HEAP) – Second Emergency Benefit and Revised Component Closing Dates

01/31/18 - 18TA/DC002 Closing of the 2016-2017 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Program

01/30/18 - 18TA/DC001 Reminder to Complete and Send LDSS-5069: “Biennial Accounting Letter” RE-ISSUED

DCLs (Child Support)

- 02/21/2018 Child Support Enforcement Network (CSENet) Updates

- 03/23/2018 Child Support Program Manual

- 07/02/2018 New Contract for Centralized Support Collection and Enforcement

- 08/27/2018 Implementation of the Revised Federal Income Withholding Order/Notice for Support

- 09/12/2018 E-Filing Petitions in ASSETS: New Manual

- 09/25/2018 Child Support Program Manual: Location Chapter

- 10/03/2018 Customer Service Workgroup Enhancement Phase 1 – : Referral Time Frame

OAH Procedures Transmittals

18-09 Revised Format Change to Agency Notices

18-08 Format Change to Agency Notices

18-07 Hearing Request Procedures for Members of the Fishman Retroactive Class

18-06 Abandonment Letter Retroactive Group

18-04 Agency: DOHT (Department of Health Transportation) Revised

18-03 New Agency: AMAX

18-02 Hearing Request Abandonment Procedures for Appellants with an MA or FIDA Code (Amended 16-09)

2017

ADMs

17-ADM-11-T Adoption of New York State Regulatory Amendments Impacting the Child Support Program (18 NYCRR § 347.8, et al.)

17-ADM-10 Online Distribution of Client Information Books LDSS-4148A, LDSS-4148B & LDSS-4148C

17-ADM-09 Continuation of Child Support Services to Former Foster Care Cases

17-ADM-08 Background Investigations of Employees with Access to Federal Tax Information

17-ADM-07 Adoption of New York State Regulatory Amendments Impacting the Child Support Program (18 NYCRR 347.3)

17-ADM-06 Mandatory Child Abuse and Maltreatment Reporting, Statewide Central Register and State Exclusion List Clearance, and Criminal History Background Check for Employees of Publicly-Funded Emergency Shelters for Families with Children

17-ADM-05 2017-18 Flexible Fund for Family Services (FFFS)

17-ADM-04 Emergency Shelter Operating Budgets and Per Diem Rate Submissions

17-ADM-03 Temporary Assistance Budgeting: 2017 Earned Income Disregard and Poverty Level Test

17-ADM-02 Storage of Furniture and Personal Belongings

17-ADM-01 Requirements for Able-Bodied Adults Without Dependents (ABAWDs)

LCMs

17-LCM-15 Automated Termination of Supplemental Nutrition Assistance Program (SNAP) Claims

17-LCM-14 2017-18 Home Energy Assistance Program (HEAP)

17-LCM-13 2018-2019 Biennial Temporary Assistance and Supplemental Nutrition Assistance Program (SNAP) Employment Plan

17-LCM-12 Establishing a Policy for the Use and Management of Mobile Devices by Local Departments of Social Services

17-LCM-11 Claiming Deadlines for Federal and State Reimbursement

17-LCM-10 Update to the Welfare-to-Work Caseload Management System Activity Referral Letter

17-LCM-09 Child Support Incentives - Federal Fiscal Years 2015 and 2017

17-LCM-08 2017-2018 Home Energy Assistance Program (HEAP) – Early Mail Out Process and Administrative Allocations

17-LCM-07 2016-2017 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Program

17-LCM-06 Supplemental Nutrition Assistance Program Employment and Training Allocations – FFY 2017

17-LCM-05 Prisoner Re-entry Pilot Program

17-LCM-04 2017 New York State Summer Youth Employment Program Allocations

17-LCM-03 2016-2017 Home Energy Assistance Program HEAP Cooling Assistance Component (CAC)

17-LCM-02-T Electronic Disqualified Recipient System (eDRS) Web Service for IPV Submission

17-LCM-01 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Requests for FFY 2016

INFs

17-INF-16 Revisions to the Supplemental Nutrition Assistance Program (SNAP) Application/Recertification (LDSS-4826) and How to Complete the SNAP Application/Recertification and Applicant/Recipient Rights and Responsibilities for SNAP (LDSS-4826A)

17-INF-15 State Minimum Wage Increase and Its Effect on Temporary Assistance and Supplemental Nutrition Assistance Programs

17-INF-14 Language Access for Individuals with Limited English Proficiency (LEP)

17-INF-13 Revisions to the Informational Letter Regarding Able-Bodied Adults Without Dependents (ABAWD) Requirements (LDSS-5072)

17-INF-12 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2018 and Updated SSI and SSP Benefit Levels Chart

17-INF-11 Revisions of the LDSS-3156, LDSS-3156NYC, LDSS-4053 and LDSS-4857

17-INF-10-T Revisions of the LDSS-4903, LDSS-4904 and LDSS-4906

17-INF-09 Introduction of LDSS-5091 “Lump Sum Worksheet” Form

17-INF-08 Summer Food Service Program (SFSP)

17-INF-07 Temporary Assistance Questions and Answers

17-INF-06 Change in Internal Revenue Service Mileage Rates

17-INF-05 Digest of Laws of 2016 Relating to Programs of the Office of Temporary and Disability Assistance

17-INF-03 Revised LDSS-4902 Supplemental Nutrition Assistance Program (SNAP) Standard Utility Allowance (SUA) Table

17-INF-01 Personal Needs Allowances (PNA) in Non-Medical and Medical Facilities Desk Aid

GIS

12/28/17 - 17TA/DC054 SSI COLA NYSNIP Standard Benefit Amount Adjustments

12/27/17 - 17TA/DC053 Release of Revised LDSS-4908 “Upstate Supplemental Nutrition Assistance Program (SNAP) Change Reporting Desk-Aid” (UPSTATE ONLY)

12/27/17 - 17TA/DC052 LDSS-5004 Revision

12/26/17 - 17TA/DC051 Release of Revised LDSS-4908NYC “NYC Supplemental Nutrition Assistance Program (SNAP) Change Reporting Desk-Aid” (NYC ONLY)

12/11/17 - 17TA/DC050 Home Energy Assistance Program (HEAP) Emergency Benefit Component Opening

12/11/17 - 17TA/DC049 2017-18 Holiday Moratorium Schedule for New York State Public Service Commission (PSC) Regulated and Municipal Utility Companies

12/06/17 - 17TA/DC048 Registering Users for the Social Security Administration (SSA) Government Services Online (GSO) Interim Assistance (IA) Application

11/21/17 - 17TA/DC047 Asylum Applicants with Employment Authorization Recognized as Permanently Residing Under the Color of Law (PRUCOL) for Safety Net Assistance (SNA)

11/15/17 - 17TA/DC046 Processing Temporary Assistance (TA) Requests for Energy Emergencies

11/13/17 - 17TA/DC045 2017-18 HEAP OSC Voucher Creation and Payment (UPSTATE ONLY)

11/10/17 - 17TA/DC044 Home Energy Assistance Program Regular Benefit Component Opening

11/06/17 - 17TA/DC043 Excessive Replacement Card Notices to Clients

10/27/17 - 17TA/DC042 Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement Closing Date, and extension of the Heating Equipment Clean and Tune (HECAT) component

10/24/17 - 17TA/DC041 Requirements to enter “Highest Degree” on the Welfare Management System for Certain Non-Temporary SNAP Recipients (UPSTATE ONLY)

10/13/17 - 17TA/DC040 SNAP Budgeting of AmeriCorps State and National, AmeriCorps NCCC, and AmeriCorps VISTA payments

10/06/17 - 17TA/DC039 Treatment of Hurricane Harvey, Hurricane Irma and Hurricane Maria Evacuees Applying for Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP), and Medicaid

10/04/17 - 17TA/DC038 Release of Revised LDSS-4943 “Supplemental Nutrition Assistance Program (SNAP) Benefits Categorical Eligibility Desk-Aid”

09/26/17 - 17TA/DC037 Treatment of Hurricane Harvey and Hurricane Irma Evacuees Applying for SNAP 17TA/DC037

09/22/17 - 17TA/DC036 Further Guidance on the Inspections of Commercial Hotels/Motels

09/15/17 - 17TA/DC035 Update to the Override Process for Able Bodied Adults Without Dependents (ABAWDs)

08/24/17 - 17TA/DC034 Continuation of the Afghan and Iraqi Special Immigrant Visa Program

08/22/17 - 17TA/DC033 Supplementary Nature of New York Achieving a Better Life Experience (NY ABLE) Savings Accounts

08/21/17 - 17TA/DC032 Upstate and NYC – Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2017

08/04/17 - 17TA/DC031 Changes in Local District Responsibilities When Transporting Homeless Students

07/21/17 - 17TA/DC030 Closing of the 2016-2017 Home Energy Assistance Program Cooling Assistance Component

07/10/17 - 17TA/DC029 Social Services District Responsibility for Timely Submission of Voter Registration Forms

06/28/17 - 17TA/DC028 SNAP Overpayment Claims Date of Discovery Policy Reminder

06/06/17 - 17TA/DC027 SNAP Disaster Plan Local Emergency Contacts

06/06/17 - 17TA/DC026 2017-2018 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Reports (UPSTATE ONLY)

05/30/17 - 17TA/DC025 Follow-up to GIS 17 TA/DC015—SNAP Process and Technology Improvement Grants and Integrated Eligibility System (IES)

05/19/17 - 17TA/DC024 Revised EBT Forms: LDSS-5066 and LDSS-5004

05/19/17 - 17TA/DC023 Termination of Temporary Protected Status (TPS) for Guinea, Liberia and Sierra Leone

05/16/17 - 17TA/DC022 NYSEG; RG&E Email Restored (UPSTATE ONLY)

05/12/17 - 17TA/DC021 NYSEG; RG&E Email Outage (UPSTATE ONLY)

05/11/17 - 17TA/DC020 WINR4112 Pending Data Status Report Applications & Cases Pending Error Correction-Supervisory Signal-Other Data Status-SFED/T Entry Report (UPSTATE ONLY)

05/02/17 - 17TA/DC019 National Grid’s Procedures for Elderly, Blind or Disabled Household Shut-Offs

04/25/17 - 17TA/DC018 Redesigned I-551 Permanent Resident Green Card and I-766 Employment Authorization Document (EAD)

04/21/17 - 17TA/DC017 Option to End a Temporary Assistance Employment Sanction Notice for Social Services Districts Outside of New York City

04/26/17 - 17TA/DC016 Release of LDSS-5089: “TASNAP Desk Guide to Determining Qualification for Student Earned Income Exemption”

04/20/17 - 17TA/DC015 FFY 2017 Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement Grants

04/17/17 - 17TA/DC014 Eligibility for Expedited Supplemental Nutrition Assistance Program Benefits for Certain Able Bodied Adults Without Dependents

04/11/17 - 17TA/DC013 2016-17 Home Energy Assistance Program (HEAP) Revised Program Allocations

04/07/17 - 17TA/DC012 Operations Plans 18 NYC RR Part 352.39

03/10/17 - 17TA/DC011 Important Notification about April 2017 State Supplement Program Payments

03/09/17 - 17TA/DC010 2016-17 Home Energy Assistance Program Regular and Emergency Benefit Components Closing Dates

03/03/17 - 17TA/DC009 Follow up on Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Requests for FFY2016

02/21/17 - 17TA/DC008 SNAP IPV Submission to Electronic Disqualified Recipient System (eDRS)

02/13/17 - 17TA/DC007 200% of Poverty Income Standards Chart – June 1, 2017 through May 31, 2018

02/03/17 - 17TA/DC006 Changes to AIDS/HIV Definition that Affect Eligibility for the Emergency Shelter Allowance

02/01/17 - 17TA/DC005 Closing of the 2015-2016 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Program

01/30/17 - 17TA/DC004 2017-2018 Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

01/05/17 - 17TA/DC003 Release of LDSS-5088 “IV-D Payment (Pass-Through) Mass Reauthorization (MRB/A)” Desk Guide (UPSTATE ONLY)

01/05/17 - 17TA/DC002 Upstate SSI COLA NYSNIP Standard Benefit Amount Adjustments (UPSTATE ONLY)

01/05/17 - 17TA/DC001 NYC SSI COLA NYSNIP Standard Benefit Amount Adjustments (NYC ONLY)

DCLs (Child Support)

- 12/19/2017 Interstate Case Processing – New/Revised UIFSA Forms

- 12/18/2017 Driver License Suspension Process – Frequency Issue

- 11/13/2017 Prevention of Property Execution for Social Security Benefits

- 11/02/2017 Check to Electronic Disbursement Enrollment Process Reinstatement

- 10/20/2017 Account Statement and Payment History Documents for Court Hearing Purposes

- 08/09/2017 Federal Reporting and Performance Training - Available Resources

- 07/28/2017 Department of Motor Vehicles License Suspension Law Extended

- 06/12/2017 Transition of Debit Card Services to Bank of America, NA (BOA)-Update

- 05/03/2017 Private Collection Agencies

- 05/02/2017 Program Manual Key User Group

- 04/25/2017 Transition of Debit Card Services to Bank of America, N.A.

- 04/14/2017 Child Support Processing Center Contract Extension and Vendor Name Change

- 02/01/2017 New Jersey Legislation - Termination of Child Support

- 01/03/2017 Hague Convention Forms and International Child Support Cases

OAH PROCEDURES TRANSMITTALS

17-01 New Issue Code for Administrative Disqualification Hearings - 467

17-03 New Agency SDRU

2016

ADMs

16-ADM-11 Temporary Housing Assistance: Consolidation and Clarification of Policy

16-ADM-10 Flexible Fund for Family Services (FFFS)

16-ADM-09 Temporary Assistance Policy: Change in the Vehicle Resource Exemption and Lump Sum Set-Aside

16-ADM-08 Alternative Format and Disability Accommodation Indicator Use

16-ADM-07 Change to Standard Utility Allowance (SUA) Policy mandated by Section 4006 of the Agriculture Act of 2014 – Final Policy

16-ADM-06 Expansion of Categorical Eligibility for Supplemental Nutrition Assistance Program (SNAP) Households with Earned Income

16-ADM-05 Change in Documentation Requirements for Independent Medical Evaluations of Employability

16-ADM-04 Temporary Assistance Budgeting: 2016 Earned Income Disregard and Poverty Level Test

16-ADM-03 Procedure for requesting Approval of Local Equivalent Forms

16-ADM-02 Refugee Cash and Medical Assistance Programs (RCA and RMA)

16-ADM-01 Supplemental Nutrition Assistance Program (SNAP) Employment Codes

LCMs

16-LCM-17 2016-17 Home Energy Assistance Program Administrative Allocations and Program Allocations

16-LCM-16 2016-17 Home Energy Assistance Program (HEAP)

16-LCM-15 Quarterly Fraud Report

16-LCM-14 Claiming Deadlines for Federal and State Reimbursement

16-LCM-13 2016-2017 Home Energy Assistance Program (HEAP) - Early Mail Out Process and Administrative Allocations

16-LCM-12 Revised LDSS-4958 “TA Sanction & Denial Policy/Participation Rate Impact Guide”

16-LCM-11 2015-16 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Program

16-LCM-10 Adoption of New York State Regulatory Amendments Impacting the Child Support and Temporary Assistance Programs

16-LCM-09 Revisions to the LDSS-2921, PUB-1301, LDSS-3174, PUB-1313, LDSS-4148A-C, LDSS-4826, LDSS-4826A, LDSS-4942, and LDSS-2291

16-LCM-08 Submission of TANF Claims/FFFS Plans

16-LCM-07 Child Support Incentives - Federal Fiscal Years 2014 and 2016

16-LCM-06 2016 New York State Summer Youth Employment Program Allocations

16-LCM-05-T 2015-2016 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC)

16-LCM-04 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Allocations – FFY 2016

16-LCM-03 Revisions to the LDSS-4725: TANF Services Application/Certification Review Form; the LDSS-4726: TANF Services Application/Certification; and the LDSS-4770: TANF Youth Services Application

16-LCM-02 Establishing a Social Media Access Policy for Social Services Districts

16-LCM-01 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Requests for FFY 2015

INFs

16-INF-18 Social Security Administration (SSA) Cost-of-Living (COLA) for January 2017 and Updated SSI and SSP Benefit Levels Chart

16-INF-17 Revised LDSS-4942: SNAP Authorized Representative Request Form

16-INF-16 Revisions to the LDSS-4314 “SNAP Household Composition Desk Guide”

16-INF-15 Revisions to Manual Client Notices

16-INF-14 State Minimum Wage Increase and Its Effect on Temporary Assistance and Supplemental Nutrition Assistance Programs

16-INF-13 Revised LDSS-4826: “SNAP Application/Recertification” and LDSS-4826A “How to Complete Application/Recertification and Applicant/Recipient Rights and Responsibilities for SNAP”

16-INF-12 Temporary Assistance/Medicaid Policy: Impact of the Affordable Care Act on Temporary Assistance Applicants Also Applying for Medicaid and Introduction of – Tax Dependent Questions (Added to Application Form DSS-2921)

16-INF-11 Revisions of forms LDSS-4799 and LDSS-4799-NYC

16-INF-10 Eat Smart New York Nutrition Education Materials

16-INF-08 Summer Food Service Program (SFSP)

16-INF-07 Supplemental Nutrition Assistance Program Revised Publications-2016

16-INF-06 Local District Security Provisions for Hearing Officers

16-INF-05 Revised LDSS-3668: “Shelter Verification” Form

16-INF-04 Digest of Laws of 2015 Relating to Programs of the Office of Temporary and Disability Assistance

16-INF-03 Change in Internal Revenue Service Mileage Rates

GIS

12/28/16 – 16 TA/DC064 – Release of Revised LDSS-4943 “Supplemental Nutrition Assistance Program Benefits Categorical Eligibility Desk-Aid”

12/20/16 – 16 TA/DC063 Home Energy Assistance Program Emergency Benefit Component Opening



12/16/16 – 16 TA/DC062 – Social Services District Responsibility for Updating County Profile Information Found on CentraPort

12/13/16 – 16 TA/DC061 – Security Measures

12/12/16 – 16 TA/DC060 – 2016-17 Holiday Moratorium Schedule for NYS Public Service Commission (PSC) Regulated and Municipal Utility Companies

11/22/16 - 16 TA/DC059 Extension of the 2015 – 2016 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Program

11/10/16 - 15 TA/DC058 2016-17 HEAP OSC Payment File Transfer Schedule (Upstate Only)

11/09/16 - 16 TA/DC057 National Grid Website Access Issues

10/27/16 - 16TA/DC056 Grace Period for Able Bodied Adults Without Dependents (ABAWDs) Who Reestablish SNAP Eligibility by Meeting the ABAWD Requirement

10/26/16 - 16TA/DC055 Processing Temporary Assistance (TA) Requests for Energy Emergencies

10/18/16 - 16TA/DC054 National Grid Website Changes

10/14/16 - 16TA/DC053 Beneficiaries of Temporary Protected Status (TPS) Recognized as Permanently Residing Under the Color of Law (PRUCOL) for Safety Net Assistance (SNA)

10/13/16 - 16TA/DC052 SNAP Employment and Training Reporting Measures

09/09/16 - 16TA/DC051 Social Services District Responsibility for Timely Submission of Voter Registration Forms Prior to the General Election

08/25/16 - 16TA/DC050 Upstate and NYC-Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October, 2016

08/08/16 - 16TA/DC049 Inspections of Commercial Hotels/Motels Used for Temporary Housing

08/02/16 - 16TA/DC048 Eligibility to Participate in SNAP by Certain Cuban Nationals Under an Order of Supervision

08/01/16 - 16TA/DC047 Redesigned Common Benefit Identification Card (CBIC)

07/22/16 - 16TA/DC046 Closing of the 2015-2016 Home Energy Assistance Program Cooling Assistance Component

07/19/16 - 16TA/DC045 Elimination of Child Support Assignment of Rights Language Inserts

07/19/16 - 16TA/DC044 Clarification of ABAWD Status for SNAP Recipients Receiving Veterans Affairs Disability Compensation

07/14/16 - 16TA/DC043 Social Services District Responsibility for Submission of Voter Registration Forms Received via Electronically Submitted Applications

07/06/16 - 16TA/DC042 Contact Information for the Employment and Income Support Programs

07/06/16 - 16TA/DC041 Filipino World War II Veterans Parole Program (FWVP)

07/01/16 - 16TA/DC040 Client Notices System (CNS) Z95 (Continuing Your SNAP: Phone Recertification) language changes due to pagination changes (UPSTATE ONLY)

06/13/16 - 16TA/DC039 2016-17 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Reports (UPSTATE ONLY)

06/10/16 - 16TA/DC038 Updated Forms for Re-Branding and USDA Nondiscrimination Statement

06/06/16 - 16TA/DC037 Consolidation of Cognos Reports in the Employment Programs Reports Folders (UPSTATE ONLY)

06/06/16 - 16TA/DC036 One-Time Process to Correct Certain ABAWD-Related Override Transactions

06/03/16 - 16TA/DC035 SNAP Disaster Plan Local Emergency Contacts

05/27/16 - 16TA/DC034 Extending Deadline for Entering ABAWD Override Transactions Associated with an ABAWD Exclusion for the First Quarter of Calendar Year 2016

05/26/16 - 16TA/DC033 Availability of New SNAP E & T Cognos Reports

05/17/16 - 16TA/DC032 Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Policy Reminder Regarding Strikers

05/02/16 - 16TA/DC031 Temporary Assistance Policy: Change in the Vehicle Resource Exemption and Lump Sum Set-Aside

04/25/16 - 16TA/DC030 Availability of New Cognos Report: ABAWD Tracking Report

04/18/16 - 16TA/DC029 Systematic Alien Verification for Entitlements (SAVE) Program System Update

04/12/16 - 16TA/DC028 Override Process for Able Bodied Adults Without Dependents (ABAWDs)

04/07/16 - 16TA/DC027 Reminder– 2015-16 Home Energy Assistance Program Regular and Emergency Benefit Components Closing on April 8, 2016

04/07/16 - 16TA/DC026 SNAP E&T/ABAWD Exemption for Students Enrolled in High School

04/06/16 - 16TA/DC025 Electronic Disqualified Recipient System (eDRS)

04/01/16 - 16TA/DC024 Statewide Financial System Blackout Period (UPSTATE ONLY)

03/29/16 - 16TA/DC023 Approval of A6902B/S5283A – Requirement of State Agencies to Pay Small Businesses Within 15 Days of Receipt of an Invoice

03/21/16 - 16TA/DC022 Entering, Tracking and Reporting of Able Bodied Adults Without Dependents (ABAWD) Exclusions and ABAWDs Residing in a Jurisdictional Area with an Approved ABAWD Waiver for Calendar Year 2016

03/21/16 - 16TA/DC021 FFY 2016 Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement Grants

03/16/16 - 16TA/DC020 Revised Client Notification System Alcohol and Substance Abuse Sanction Language

03/15/16 - 16TA/DC019 Electronic Disqualified Recipient System (eDRS)

03/11/16 - 16TA/DC018 2015-16 Home Energy Assistance Program (HEAP) Regular and Emergency Benefit Components-Revised Closing Dates

03/10/16 - 16TA/DC017 2016-2017 Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

03/09/16 - 16TA/DC016 Important Notification about April 2016 State Supplement Program (SSP) Payments

02/22/16 - 16TA/DC015 Migration of Supplemental Nutrition Assistance Program Employability and ABAWD Indicator Code Fields to the Welfare Management System

02/19/16 - 16TA/DC014 NYSEG and RG&E Website Security Enhancements (UPSTATE ONLY)

02/19/16 - 16TA/DC013 200% of Poverty Income Standards Chart June 1, 2016 through May 31, 2017

02/18/16 - 16TA/DC012 LDSS-5004 Revision

02/16/16 - 16TA/DC011 Revised – SNAP Treatment of Funds in On-Line “Crowdfunding” Accounts

02/03/16 - 16TA/DC010 Tracking and Reporting of Able Bodied Adults Without Dependents (ABAWD) Exclusions and ABAWDs Residing in a Jurisdictional Area with an Approved ABAWD Waiver for Calendar Year 2016 (UPSTATE ONLY)

02/01/16 - 16TA/DC009 Release of Revised LDSS-4884: “Emergency Energy Desk Guide”

01/27/16 - 16TA/DC008 New State On-Line Query System (SOLQ) Training Module

01/25/16 - 16TA/DC007 Issues with Cognos Biennial Accounting Report (UPSTATE ONLY)

01/22/16 - 16TA/DC006 Redesigned Common Benefit Identification Card (CBIC)

01/20/16 - 16TA/DC005 Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement Closing Date

01/14/16 - 16TA/DC004 Increase in SNAP Gross Income Test Level for Households with Earnings



01/11/16 - 16TA/DC003 Availability of New Cognos Report: Biennial Accounting Report w/2 Attachments (UPSTATE ONLY)

01/08/16 - 16TA/DC002 Electronic Disqualified Recipient System (eDRS) (UPSTATE ONLY)

01/05/16 - 16TA/DC001 New Fair Hearing Notice Language – Availability of Policy Materials

DCLs (Child Support)

- 11/03/16 Guidance Document Regarding Money Judgments
- 10/14/16 Publication of Child Support Bank Reconciliation Guide
- 09/29/16 Guidance Document Regarding the Death of a Child or a Party to an Order of Support

• 09/28/16 Questions and Answers Document Regarding the Disclosure of Federal Tax Information in Court Proceedings

• 09/01/16 Adoption of New York State Regulatory Amendments – Income Withholding

• 08/22/16 Statewide Expansion of Electronic Disbursements of Child Support Payments

• 08/15/16 Enhancement to the Electronic Communication System in Support of the Debit Card Process

• 08/03/16 Banking Services Contact Update

• 07/08/16 Revised Procedures -- Walk-In Payments related to Collection Actions taken by the New York State Department of Taxation and Finance

• 07/08/16 New Banking Services Contract in Support of Centralized Support Collection and Enforcement

• 06/28/16 Preparing Account Documents and Payment Records for Court Hearings in Compliance with IRS Publication 1075 Requirements

• 05/31/16 New Data Match with New York State and Local Retirement System

• 03/09/16 Revised Wage and Health Benefit Report and Automated Generation Process

• 03/07/16 Addendum to Family Court Support Petition to Request Child Support Services

• 03/02/16 Changes Related to Aging Parameters and Overage Statuses Report

• 02/09/16 Update on Federal Case Registry Misidentified Participant Application

• 01/21/16 Use of Worker Alerts for Caseload Management

• 01/21/16 Child Support Processing Center Contract Extension

OAH PROCEDURES TRANSMITTALS

16-11 Instructions Regarding 16-ADM-11

16-09 Fishman v. Daines Litigation Procedures (Amended 16-02)

16-08 Rafferty v. Doar Alternative Format Documents

16-07 Video Hearing Procedures

16-06 Review of Disqualification Consent Agreement (DCA) and New Issue Codes 170 and 443

16-05 Fair Hearing Decision Transmittal and Summary Page

16-04 Ramirez - Language Access Insert with Correspondence

16-03 Supplemental Nutrition Assistance Program (SNAP) Ad-journments

16-02 Fishman v. Daines Litigation Procedures (Amended 13-01)

16-01 Access to Policy Documents to Prepare for a Fair Hearing

2015

ADMs

15-ADM-09 Return of Interim Assistance Reimbursement (IAR) Funds Incorrectly Collected from the Social Security Administration (SSA)

15-ADM-08 Child Support Security Awareness Training

15-ADM-07 Arrears Pilot Initiative to Improve Child Support Compliance

15-ADM-05-T Recovery of Liens and Requirement to Provide Biennial Accounting

15-ADM-04 The Modified Mini Screen (MMS) Mental Health Screening Tool

15-ADM-03 Flexible Fund for Family Services (FFFS)

15-ADM-02 Temporary Assistance Budgeting: 2015 Earned Income Disregard and Poverty Level Test

15-ADM-01 State Supplement Program (SSP) Recovery of Equivalent Benefits (REB) Policy and Procedures

LCMs

15-LCM-22 Home Energy Assistance Program Administrative Allocations and Program Allocations

15-LCM-21 Supplemental 100% SNAP Employment and Training Allocations – FFY 2015

15-LCM-20-T Clarification of Drug/Alcohol Change in Level of Care and Determining Compliance

15-LCM-19 Electronic Disqualified Recipient System (eDRS) Web Service

15-LCM-18 2016-2017 Biennial Temporary Assistance and Supplemental Nutrition Assistance Program (SNAP) Employment Plan

15-LCM-17 2015-2016 Home Energy Assistance Program (HEAP)

15-LCM-16 Establishing a Social Media Access Policy for Social Services District Investigators

15-LCM-15 Temporary Assistance Questions and Answers

15-LCM-14 2015-2016 Home Energy Assistance Program (HEAP) – Early Mail Out Process and Administrative Allocations

15-LCM-13 Revisions to the LDSS-4925: “Employability Code Desk Guide TANF and SN MOE” and LDSS-4926: “Employability Code Desk Guide SN Non-MOE”

15-LCM-12 Claiming Deadlines for Federal and State Reimbursement

15-LCM-11 Child Support Incentives – Federal Fiscal Years 2013 and 2015

15-LCM-10 Revisions to the LDSS-4923: “TANF and SNA MOE Work Activities Countability Desk Guide” and LDSS-4924: SNA Non-MOE Work Activities

15-LCM-09 Supplemental Nutrition Assistance Program (SNAP) Revised Civil/Human Rights Complaint Procedures

15-LCM-08 Supplemental Nutrition Assistance Program Employment and Training (SNAP E & T) Allocations – FFY 2015

15-LCM-07 2015 New York State Summer Youth Employment Program Allocations

15-LCM-06 Deactivation of SNAP Debts in the Treasury Offset Program (TOP) for payment received

15-LCM-05 Submission of TANF Claims/FFFS Plans

15-LCM-04 Noncustodial Parent (NCP) Employment Program

15-LCM-03 2014-2015 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC)

15-LCM-02 Revisions to LDSS-4004

15-LCM-01 Records Access

INFs

15-INF-10 Social Security Administration (SSA) Cost of Living (COLA) for January 2016 and updated SSI and SSP Benefit Levels Chart

15-INF-09 State Minimum Wage Increase and Its Effect on Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP)

15-INF-08 Supplemental Nutrition Assistance Program (SNAP) Data Collection and Reporting Requirements Related to Racial and Ethnic Data

15-INF-07 Investigative Unit Operations Plan (Revised)

15-INF-06 Summer Food Service Program (SFSP)

15-INF-05 Revised LDSS-3938 and LDSS-3938 NYC: “Supplemental Nutrition Assistance Program (SNAP) Application Expedited Processing Summary Sheet”

15-INF-04 Digest of Laws of 2014 Relating to Programs of the Office of Temporary and Disability Assistance

15-INF-02 Change in Internal Revenue Service Mileage Rates

GIS

12/22/15 - 15TA/DC057 HEAP Emergency Benefit Component Opening

12/16/15 - 15TA/DC056 HEAP and TA Implications of the 2015-16 Utility Termination Moratorium Schedule for NYS PSC Regulated and Municipal Utility Companies

12/10/15 - 15TA/DC055 Biennial Accounting for Liens and Child Support Recoveries

12/02/15 - 15TA/DC054 ABAWD Waiver Status and One-Time Mailing of ABAWD Status Notification Letter (UPSTATE ONLY)

12/01/15 - 15TA/DC053 Safety Net Assistance (SNA) 45-Day Application Period During a Leap Year

11/24/15 - 15TA/DC052 Changes to the LDSS-760 "Bank Inquiry and Clearance Report Agency Completed"

11/19/15 - 15TA/DC051 Unlinked Casekeys and On Hold/Deleted SNAP and Cash Payments on EBT

11/13/15 - 15TA/DC050 Electronic Disqualified Recipient System (eDRS)

11/12/15 - 15TA/DC049 2015-16 HEAP NYS Office of State Comptroller (OSC) Payment File Transfer Schedule (UPSTATE ONLY)

11/09/15 - 15TA/DC048 Processing Temporary Assistance (TA) Requests for Energy Emergencies

11/04/15 - 15TA/DC047 Re-issuance of 15-ADM-06 (15-ADM-06-T) Temporary Housing Assistance Consolidation and Clarification of Policy

10/30/15 - 15TA/DC046 Refugee Form I-94 Arrival/Departure Record Automation

10/26/15 - 15TA/DC045 Alternative Formats and Rafferty v. OTDA, DOH, HRA, et. al Settlement

10/20/15 - 15TA/DC044 Electronic Disqualified Recipient System (eDRS)

10/02/15 - 15TA/DC043 Home Energy Assistance Program (HEAP) Manual

10/02/15 - 15TA/DC042 Federal Government Shutdown Averted

09/25/15 - 15TA/DC041 Potential Federal Government Shutdown and SNAP (Supplemental Nutrition Assistance Program) Benefits

09/25/15 - 15TA/DC039 Statewide Financial System (SFS) Blackout Period affecting Home Energy Assistance Program (HEAP) vendor payments (UPSTATE ONLY)

09/14/15 - 15TA/DC038 Reminder to Disregard Certain SNAP E&T Sanctions from the SNAP E&T Sanction Progression

09/14/15 - 15TA/DC037 Important Notification about October 2015 SSP Payments

09/09/15 - 15TA/DC036 Changes to National Grid's Procedures for Elderly, Blind or Disabled Households (UPSTATE ONLY)

08/28/15 - 15TA/DC035 Validation of Social Security Numbers

08/25/15 - 15TA/DC034 Upstate and NYC-Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2015

08/24/15 - 15TA/DC033 Closing of the 2014-2015 Home Energy Assistance Program Cooling Assistance Component

08/14/15 - 15TA/DC032 Electronic Benefit Transfer (EBT) Outage

08/04/15 - 15TA/DC031 2015-2016 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Reports

08/04/15 - 15TA/DC030 Excessive Replacement Card Letter to Clients

07/24/15 - 15TA/DC029 Temporary Cessation of System Generated CNS Notices to Shelter, Fuel and/or Utility Vendors

07/02/15 - 15TA/DC028 Revised State Verification and Exchange System (SVES) and State Online Query (SOLQ) Manual

06/15/15 - 15TA/DC027 EBT Forms Ordering. LDSS 5066 and LDSS 5004.

06/12/15 - 15TA/DC026 Change to the Address for the Guide Dog Food Coordinator on the LDSS 3087, "Application/Recertification Guide Dog Food Program." (NYC ONLY)

06/08/15 - 15TA/DC025 2015-2016 Home Energy Assistance

Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Reports (UPSTATE ONLY)

06/05/15 - 15TA/DC024 SNAP Disaster Plan Local Emergency Contacts

06/03/15 - 15TA/DC023 Rafferty v. OTDA, DOH, HRA, et. al Settlement and Alternate Format Materials for the Visually Impaired

05/29/15 - 15TA/DC022 2014-2015 Home Energy Assistance Program (HEAP) Pending Report Closing (UPSTATE ONLY)

05/12/15 - 15TA/DC021 Restoration of SFARS (Specialized Fraud and Abuse Reporting System) Database and Reports

05/06/15 - 15TA/DC020 2014-15 Home Energy Assistance Program (HEAP) Revised Program Allocations (UPSTATE ONLY)

05/06/15 - 15TA/DC019 FFY 2015 Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement Grants

05/05/15 - 15TA/DC018 Removal of Gender Field from Common Benefit Identification Card (CBIC)

04/23/15 - 15TA/DC017 Clarification of Affixed SSDs Representative's Signature on Interim Assistance Reimbursement Authorizations

04/02/15 - 15TA/DC016 No-Heat Referrals to NYSEDA Empower Program

03/26/15 - 15TA/DC015 Statewide Financial System Blackout Period - HEAP Implications

03/26/15 - 15TA/DC014 2014-15 Home Energy Assistance Program Regular and Emergency Benefit Components Closing Date

03/24/15 - 15TA/DC013 2015-16 Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

03/12/15 - 15TA/DC012 Calculation of Utility Arrears When TA, HEAP and/or Customer Payments Have Been Made

03/11/15 - 15TA/DC011 Additional Home Energy Assistance Program (HEAP) Administrative Funding

03/06/15 - 15TA/DC010 2014-15 Home Energy Assistance Program (HEAP) - Second Emergency Benefit and Revised Closing Dates

03/05/15 - 15TA/DC009 Important Notification about April SSP Payments

03/05/15 - 15TA/DC008 New Haitian Family Reunification Parole (HFRP) for SNAP Benefits

02/24/15 - 15TA/DC007 Third-party Application (App) for Android phones offering free EBT balance information

02/24/15 - 15TA/DC006 SNAP Closing Reason Code "M12" (UPSTATE ONLY)

02/24/15 - 15TA/DC005 200% of Poverty Income Standards Chart-June 1, 2015 through May 31, 2016

02/06/15 - 15TA/DC004 Additional Update on SNAP Applications submitted through Intuit (Turbo Tax)

02/03/15 - 15TA/DC003 Update on SNAP Applications submitted through Intuit (Turbo Tax)

01/21/15 - 15TA/DC002 SNAP Applications submitted through Intuit (Turbo Tax)

01/07/15 - 15TA/DC001 Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement Closing Date

DCLs (Child Support)

- 12/22/15 Biennial Accounting of Recoveries for Real Property Liens
- 11/5/15 Chapter 387 of the Laws of 2015: Alimony or Spousal Support, Parental Income and Child Support Obligations
- 10/19/15 Banking Services Contract Extension
- 10/8/15 15-ADM-07 Arrears Pilot Initiative to Improve Child Support Compliance
- 10/7/15 Amendment to Social Services Law § 111-i and Adoption of the 2008 Amendments to the Uniform Interstate Family Support Act
- 10/2/15 Revisions to the Direct Deposit Enrollment Form and Direct Deposit Cancellation Form

- 9/15/15 Change to Noncustodial Parent Medical Execution Cover Notice
- 8/24/15 Statewide Arrears Pilot Program—Solicitation of District Participation
  - 7/29/15 Federal Interstate Case Reconciliation Data Match
  - 7/16/15 Department of Motor Vehicles License Suspension Law Extended
  - 6/8/15 Lottery Prize Intercept Process Changes
  - 6/1/15 Change in New York State Child Support Processing Center Project Directors
  - 6/1/15 Implementation of the Revised Federal Income Withholding Order/Notice for Support
  - 5/15/15 Account Documents for a Court Proceeding Scheduled in Another County
  - 4/16/15 Changes to Non-IV-D Services
  - 3/23/15 Increase in Volume of Cost of Living Adjustments for March 2015
  - 1/23/15 Batch Type 65 Processing
  - 1/22/15 Chapter 466 of the Laws of 2014: Combined Parental Income
- OAH PROCEDURES TRANSMITTALS
  - 15-02 Instructions Regarding 15 ADM-06T
  - 15-01 New FHIS Agency Nursing Home Eligibility Division (NHED)
- 2014
  - ADMs
  - 14-ADM-07 State Administration of SSI State Supplement Program (SSP)
  - 14-ADM-06 Supplemental Nutrition Assistance Program (SNAP) Conciliation with Option to Avoid a SNAP Work Sanction through Demonstrated Compliance
  - 14-ADM-05-T Automated Information Exchange Agreement between OTDA, OCFS, DOH and DOL-Unemployment Insurance Benefit Information
  - 14-ADM-05 Automated Information Exchange Agreement between OTDA, OCFS, DOH and DOL-Unemployment Insurance Benefit Information
  - 14-ADM-04 Employment and Resource Exemption Changes authorized by Chapter 58 of the Laws of 2014
  - 14-ADM-03 2014-15 Flexible Fund for Family Services (FFFS)
  - 14-ADM-02 The Use, Capture and Reporting of SSD's Representative's Signature on Interim Assistance Reimbursement (IAR) Authorizations
  - 14-ADM-01 Temporary Assistance Budgeting: 2014 Earned Income Disregard and Poverty Level Test
- LCMs
  - 14-LCM-15 Use and Protection of Confidential, Private, Personal, and/or Sensitive Information
  - 14-LCM-14-T 2014-15 Home Energy Assistance Program — Administrative Allocations and Program Allocations
  - 14-LCM-13 2014-2015 Home Energy Assistance Program (HEAP)
  - 14-LCM-12-T Claiming Deadlines for Federal and State Reimbursement
  - 14-LCM-11 2014-2015 Home Energy Assistance Program (HEAP) – Early Mail Out Process and Administrative Allocations
  - 14-LCM-10 Supplemental Nutrition Assistance Program Employment and Training Allocations – FFY 2014
  - 14-LCM-09 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Requests for FFY 2014
  - 14-LCM-08 Quarterly Fraud Report
  - 14-LCM-07 New York State Summer Youth Employment Program Allocations
  - 14-LCM-06 Submission of TANF Claims/FFFS Plans

- 14-LCM-05 Child Support Incentives - Federal Fiscal Years 2012 and 2014
- 14-LCM-04 Flexible Fund for Family Services (FFFS) 2014-2015 Allocations and Child Welfare Services Thresholds
- 14-LCM-03 2013-2014 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC)
- 14-LCM-02 WMS Audit Tool
- 14-LCM-01 Eligibility Determination and Claiming of EAF Benefits
- INFs
  - 14-INF-16 Notice of Pending SNAP Application
  - 14-INF-15 State Minimum Wage Increase and Its Effect on Temporary Assistance (TA) and Supplemental Nutrition Assistance (SNAP) Programs
  - 14-INF-13 Transportation Guidance
  - 14-INF-12 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2015 and updated SSI and SSP Benefit Levels Chart
  - 14-INF-11 Social Services District Monitoring Responsibilities for Access to and Usage of Unemployment Information
  - 14-INF-10 The Treatment of Veterans Aid and Attendance (VA AA) benefits for SNAP
  - 14-INF-09-T Cost Avoidance Calculations for Program Integrity Initiatives
  - 14-INF-08 Summer Food Service Program (SFSP)
  - 14-INF-06 Temporary Assistance Questions and Answers
  - 14-INF-05 Resource File Integration (RFI) Policy and Procedures
  - 14-INF-04 Change in Internal Revenue Service Mileage Rates
  - 14-INF-02 Digest of Laws of 2013 Relating to Programs of the Office of Temporary and Disability Assistance
  - 14-INF-01 Revision to LDSS 4418 Acknowledgement of Paternity Form
- GIS Messages
  - 12/23/14 - 14TA/DC056 SSI COLA and NYSNIP Standard Benefit Amount Adjustments (UPSTATE ONLY)
  - 12/23/14 - 14TA/DC055 SSI COLA and NYSNIP Standard Benefit Amount Adjustments (NYC ONLY)
  - 12/23/14 - 14TA/DC054 Home Energy Assistance Program Emergency Benefit Component Opening
  - 12/16/14 - 14TA/DC053 Home Energy Assistance Program (HEAP) and Temporary Assistance (TA) Implications of the 2014-15 Utility Termination Moratorium Schedule for New York State Public Service Commission (PSC) Regulated and Municipal Utility Companies
  - 11/26/14 - 14TA/DC052 State On-Line Query (SOLQ) System Expansion and Changes
  - 11/21/14 - 14TA/DC051 Addressing Emergency Needs Resulting from Impact of Western New York Winter Storms (UPSTATE ONLY)
  - 11/20/14 - 14TA/DC050 SDX Transmission Error (UPSTATE ONLY)
  - 11/10/14 - 14TA/DC049 2014-15 HEAP NYS Office of State Comptroller (OSC) Payment File Transfer Schedule (UPSTATE ONLY)
  - 11/07/14 - 14TA/DC048 Processing Temporary Assistance (TA) Requests for Energy Emergencies
  - 10/21/14 - 14TA/DC047 Release of Revised Version of the LDSS-5004 "EBT How to Use Your Benefit Card to Get Supplemental Nutrition Assistance Program (SNAP) and/or Cash Benefits
  - 10/21/14 - 14TA/DC046 Release of Two New LDSS E-Forms for Electronic Benefits Transfer (EBT)
  - 10/20/14 - 14TA/DC045 2014-15 HEAP NYS Office of State Comptroller Voucher File Schedule (UPSTATE ONLY)
  - 10/20/14 - 14TA/DC044 Treatment of Family Tax Relief & Property Tax Relief Credits: TA, SNAP and HEAP Policy Implications
  - 10/15/14 - 14TA/DC043 SFARS (Specialized Fraud and Abuse Reporting System) Limited Availability Since EBT Contractor Transition



10/15/14 - 14TA/DC042 Increase in the UIB Minimum and Maximum Benefits

10/02/14 - 14TA/DC041 Excessive Replacement Card Letter to Clients

09/30/14 - 14TA/DC040 State Takeover of the SSI State Supplement Program (SSP)

09/26/14 - 14TA/DC039 Direct Deposit Banking Information for SSP Recipients

09/26/14 - 14TA/DC038 Changes to SNAP Resource Limits

09/18/14 - 14TA/DC037 Update on Client Electronic Benefit Transfer (EBT) System Conversion Activities

09/10/14 - 14TA/DC036 State Supplement Program (SSP) Updates

09/03/14 - 14TA/DC035 Update on Client Electronic Benefits Transfer (EBT) System Conversion Activities

09/02/14 - 14TA/DC034 SNAP Disaster Plan Local Contacts

08/29/14 - 14TA/DC033 Upstate and NYC-Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October, 2014

08/29/14 - 14TA/DC032 Restrictions on EBT Cash Transactions at Specified Locations

08/15/14 - 14TA/DC031 National Grid Fax Outage Resolved (UPSTATE ONLY)

08/14/14 - 14TA/DC030 National Grid Fax Outage (UPSTATE ONLY)

08/01/14 - 14TA/DC029 State Supplement Program (SSP) Transition Letter Mail Out

08/01/14 - 14TA/DC028 2014-15 Home Energy Assistance Program TA/SNAP Pre-Autopay Vendor Information Reports (UPSTATE ONLY)

07/25/14 - 14TA/DC027 Changes to the Services Provided by Social Security Offices

07/23/14 14TA/DC026 National Grid System Maintenance

07/09/14 14TA/DC025 Transition of State Supplemental Personal Needs Allowance (SSPNA) Benefits to Direct Deposit

06/26/14 - 14TA/DC024 Home Energy Assistance Program (HEAP) Benefit Cooling Assistance Component (CAC) Tracking Log (UPSTATE ONLY)

06/19/14 - 14TA/DC022 Disability Accommodation Indicator

06/19/14 - 14TA/DC021 Closing of the 2013-2014 Home Energy Assistance Program Cooling Assistance Component

06/11/14 - 14TA/DC020 2014-2015 Home Energy Assistance Program (HEAP) TA/SNAP Pre-Autopay Vendor Information Reports (UPSTATE ONLY)

06/02/14 - 14TA/DC019 LDSS-5041: "Lien Acknowledgement" Form

05/21/14 - 14TA/DC018 SNAP Budgeting Shelter Expense of Mortgage Costs when in Foreclosure

05/15/14 - 14TA/DC017 Home Energy Assistance Program (HEAP) Pending Reports (UPSTATE ONLY)

05/14/14 - 14TA/DC016 No-Heat Referrals to NYSEKDA Empower

04/08/14 - 14TA/DC015 2014 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

04/03/14 - 14TA/DC014 200% of Poverty Income Standards Chart - June 1, 2014 through May 31, 2015

04/01/14 - 14TA/DC013 FFY 2014 Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement Grants

03/21/14 - 14TA/DC012 Additional SAVE Telephone Conference and Information on Training (UPSTATE ONLY)

03/19/14 - 14TA/DC011 Farm Bill Changes to SNAP Standard Utility Allowance (SUA) Policy

03/14/14 - 14TA/DC010 Supplemental HEAP Payments (UPSTATE ONLY)

03/11/14 - 14TA/DC009 Additional Home Energy Assistance Program (HEAP) Administrative Funding

03/06/14 - 14TA/DC008 Closing Dates for the 2013-14 Home Energy Assistance Program (HEAP) Regular and Emergency Components

02/28/14 - 14TA/DC007 SAVE Telephone Conference and Information on Training (UPSTATE ONLY)

02/20/14 - 14TA/DC006 Electronic Benefit Transfer System Conversion

02/19/14 - 14TA/DC005 Home Energy Assistance Program (HEAP) Benefit Pending Reports

02/03/14 - 14TA/DC004 SAVE Telephone Conference (UPSTATE ONLY)

01/30/14 - 14TA/DC003 2013-14 Home Energy Assistance Program Regular Component

01/29/14 - 14TA/DC002 Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement Closing Date

01/06/14 - 14TA/DC001 Updated HEAP Brochure PUB-4735 and HEAP Poster PUB-5007

DCLs (Child Support)

- 12/17/2014 Chapter 373 of the Laws of 2014 (Discontinued ASSETS templates)
- 06/20/2014 Revised Wage and Health Benefits Report
- 05/02/2014 Revisions to Lien Documents Used in the Enforcement of Support Obligations and the Personal Injury Claims Enforcement Process
- 04/30/2014 Driver License Suspension Process—Systems Fixer to Update Aged DMV Indicators of U01 for Resubmission
- 04/25/2014 New COLD Report for CSENet Annual Notice of Overdue Support
- 03/06/2014 Information from the Department of Health about NY State of Health Notices
- 02/18/2014 Accessing eMedNY for Medicaid Eligibility Status
- 02/04/2014 Planned Data Collection Activities on ASSETS and the Child Support Website

OAH PROCEDURES TRANSMITTALS

14-002 Outcome Reason Codes

2013

ADMs

- 13-ADM-07 Systematic Alien Verification for Entitlements (SAVE) Program
- 13-ADM-06 NYSEKDA On-Bill Recovery (OBR) Financing
- 13-ADM-05 2013-14 Flexible Fund for Family Services (FFFS)
- 13-ADM-04 SNAP Reactivation Waiver
- 13-ADM-03 Temporary Assistance Budgeting: 2013 Changes to the Earned Income Disregard and Poverty Level Test
- 13-ADM-02 Temporary Assistance and Supplemental Nutrition Assistance Program Policy: The Treatment of Tax Refunds and Credits
- 13-ADM-01 Automated Case Closure and Closure of Administrative Cases

LCMs

- 13-LCM-16 2013-14 Home Energy Assistance Program—Administrative Allocations and Program Allocations
- 13-LCM-15 Document Packet for Fair Hearings Related to Interim Assistance Reimbursement (IAR)
- 13-LCM-14 2013-14 Home Energy Assistance Program
- 13-LCM-12 2014-2015 Biennial Temporary Assistance and Supplemental Nutrition Assistance Program (SNAP) Employment Plan
- 13-LCM-11 2013-14 Home Energy Assistance Program-Early Mail Out Process and Administrative Allocations
- 13-LCM-10 Supplemental Nutrition Assistance Program Employment and Training Allocations-FFY 2013
- 13-LCM-09 Revisions to LDSS-2859, Information Transmittal
- 13-LCM-08 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Requests for FFY 2013



- 13-LCM-07 Reporting Requirements under the Federal Funding Accountability and Transparency Act of 2006 (FFATA)
- 13-LCM-06 Supplemental Nutrition Assistance Program (SNAP) Civil/Human Rights Complaint
- 13-LCM-05 Claiming Deadlines for Federal and State Reimbursement
- 13-LCM-04 Child Support Incentives-Federal Fiscal Years 2011 and 2013
- 13-LCM-03 Submission of TANF Claims/FFFS Plans
- 13-LCM-02 2013 TANF Summer Youth Employment Program Allocations
- 13-LCM-01 2012-2013 Home Energy Assistance Program (HEAP) Cooling Assistance Component
- INFs
- 13-INF-08 State Minimum Wage Increase and Its Effect on Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP)
- 13-INF-07 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2014 – SSI Benefit Levels Chart
- 13-INF-05 Mandatory Supplemental Nutrition Assistance Program (SNAP) Right to File Poster-LDSS-4995
- 13-INF-04 Summer Food Service Program
- 13-INF-03 CBIC Photos for NTA-SNAP Cardholders
- 13-INF-02 Revisions to the LDSS 4310 “Periodic Report” and the LDSS 4310A “Follow-up to the Periodic Report”
- GIS Messages
- 12/30/13 13TA/DC056 Expiration of the Emergency Unemployment Compensation (EUC) Program
- 12/27/13 13TA/DC055 Home Energy Assistance Program Emergency Benefit Component Opening
- 12/27/13 13TA/DC054 SSI COLA and NYSNIP Standard Benefit Amount Adjustments (NYC ONLY)
- 12/26/13 13TA/DC054 SSI COLA and NYSNIP Standard Benefit Amount Adjustments (UPSTATE ONLY)
- 12/17/13 13TA/DC053 Home Energy Assistance Program (HEAP) and Temporary Assistance (TA) Implications of the 2013-14 Utility Termination Moratorium Schedule for New York State Public Service Commission (PSC) Regulated and Municipal Utility Companies
- 12/17/13 13TA/DC052 Social Services District Responsibility for Updating Specific Information, including Out of District/State inquiries, found on the OTDA Intranet and CentraPort
- 12/05/13 13TA/DC051 Home Energy Assistance Program (HEAP) Payment Information (UPSTATE ONLY)
- 12/05/13 13TA/DC050 National Grid System Maintenance (UPSTATE ONLY)
- 11/15/13 13TA/DC049 Home Energy Assistance Program (HEAP) Manual
- 11/14/13 13TA/DC048 Issuance of One-Time Supplemental Nutrition Assistance Program (SNAP) Benefit resulting from the Richard C. v. Berlin Settlement Agreement
- 11/14/13 13TA/DC047 State On-Line Query (SOLQ) System Changes
- 11/04/13 13TA/DC046 Supportive Services for Veteran Families Program
- 10/25/13 13TA/DC045 Release of Revised Version of the Previous PUB-4792 “Will You Receive Food Stamp Benefits after Cash Assistance Ends?”
- 10/24/13 13TA/DC044 Release of Revised LDSS-4943 “Supplemental Nutrition Assistance Program (SNAP) Benefits Categorical Eligibility Desk-Aid”
- 10/24/13 13TA/DC043 Clarification of SNAP Policies Regarding Homeless Including Homeless Youth
- 10/21/13 13TA/DC042 Food/Non-Food Guidelines for the “Financial Statement” (LDSS-3596) for Utility Assistance
- 10/18/13 13TA/DC041 End of Federal Government Shutdown
- 10/07/13 13TA/DC040 Federal Government Shutdown - Granting Good Cause for Inability to Apply for Social Security Card(s)
- 10/07/13 13TA/DC039 New York State Energy Research and Development Authority’s EmPower New York Assistance for Summer 2013 Flooding and Superstorm Sandy
- 10/03/13 13TA/DC038 November 1, 2013 Expiration of Federal American Recovery and Reinvestment Act (ARRA) Temporary Increase to SNAP Benefits
- 09/30/13 13TA/DC037 Impact on OTDA Programs of Potential Federal Government Shutdown
- 09/23/13 13TA/DC036 Change in Form Number for PUB-4596 “EBT How to Use Your Benefit Card to Get SNAP and/or Cash Benefits” to LDSS-5004
- 09/23/13 13TA/DC035 Calculation of Utility Arrears
- 09/13/13 13TA/DC034 CBIC Vault Card Ordering Process (UPSTATE ONLY)
- 09/11/13 13TA/DC033 Protocols for HEAP Alternate Certifiers and myWorkspace Access for Alternate Certifiers (UPSTATE ONLY)
- 08/27/13 13TA/DC032 Release of Revised LDSS-548 “Budget Worksheet - Temporary Assistance”
- 08/20/13 13TA/DC031 Upstate and NYC Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 2013
- 08/19/13 13TA/DC030 Excessive Replacement Card Letter to Clients
- 07/08/13 13TA/DC029 Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Computer Matches: Incarcerated Clients
- 07/08/13 13TA/DC028 Extension to Deadline Reporting Loss of Food Purchased with SNAP Benefits Due to June 2013 Flooding (UPSTATE ONLY)
- 07/02/13 13TA/DC027 Addressing Emergency Needs Resulting from Recent Flooding (UPSTATE ONLY)
- 07/01/13 13TA/DC026 Implementation of the myBenefits/myWorkspace Home Energy Assistance Program (HEAP) Application Process
- 06/24/13 13TA/DC025 Home Energy Assistance Program (HEAP) Benefit Cooling Assistance Component (CAC) Tracking Log
- 06/21/13 13TA/DC024 SNAP Disaster Plan Local Contacts
- 06/20/13 13TA/DC023 National Grid System Maintenance (UPSTATE ONLY)
- 06/07/13 13TA/DC022 2013-2014 Home Energy Assistance Program (HEAP) TA/SNAP Pre- Autopay Request for Vendor Information (UPSTATE ONLY)
- 06/05/13 13TA/DC021 Closing of the 2012-2013 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC)
- 05/24/13 13TA/DC020 Home Energy Assistance Program (HEAP) Benefit Pending Reports (UPSTATE ONLY)
- 04/29/13 13TA/DC019 Required Posting of Notices
- 04/29/13 13TA/DC018 Expiration of Waiver to Allow Purchase of Hot and Prepared Foods with SNAP Benefits at Authorized FNS Retailers
- 04/12/13 13TA/DC017 State On Line Query (SOLQ) System
- 04/09/13 13TA/DC016 Reporting Applications for the 2012-2013 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC)
- 04/03/13 13TA/DC015 FFY2013 Supplemental Nutrition Assistance Program (SNAP) Technology Improvement Grants
- 04/01/13 13TA/DC014 Fourth Extension of Timeframe for Allowing SNAP Purchases of Hot and Prepared Foods at Authorized FNS Retailers in New York City and in Nassau and Suffolk Counties
- 03/28/13 13TA/DC013 2013 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)
- 03/20/13 13TA/DC012 200% Poverty Income Standards Chart - June 1, 2013 through May 31, 2014
- 03/11/13 13TA/DC011 Notice to Individuals Currently Serving

Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Sanctions

03/11/13 13TA/DC010 Expanded Online Access to Social Security Administration Information

03/01/13 13TA/DC009 Fourth Extension of Timeframe for Allowing SNAP Purchases of Hot and Prepared Foods at Authorized FNS Retailers in New York City and in Nassau and Suffolk Counties

02/28/13 13TA/DC008 Home Energy Assistance Program (HEAP) Regular and Emergency Component Closing Date

02/13/13 13TA/DC007 Additional Information on the Home Energy Assistance Program (HEAP)

01/31/13 13TA/DC006 Third Extension of Timeframe for Allowing SNAP Purchase of Hot and Prepared Foods at Authorized FNS Retailers in New York City and in Nassau and Suffolk

01/31/13 13TA/DC005 Ending the Duration of Current Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Sanctions

01/29/13 13TA/DC004 Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement Component Closing Date

01/29/13 13TA/DC003 Home Energy Assistance Program (HEAP) Benefit Processing and Pending Applications Reporting

01/24/13 13TA/DC002 Disabling Welfare Management System (WMS) Temporary Assistance (TA) Case Reason Code "M40"

01/02/13 13TA/DC001 SSI COLA and NYSNIP Standard Benefit Amounts (UPSTATE ONLY)

01/02/13 13TA/DC001 SSI COLA and NYSNIP Standard Benefit Amounts (NYC ONLY)

DCLs (Child Support)

- 12/19/2013 Affordable Care Act and Department of Health (DOH) Takeover of Medicaid

- 12/04/2013 Time Limits for Vacating an Acknowledgment of Paternity

- 11/06/2013 Instructions for Review of Federal Tax Offset Corrected Social Security Number (SSN) Report and Federal Tax Offset Process Changes

- 08/02/2013 Revisions to DMV and DTF Important Notices Sent to Noncustodial Parents

- 07/16/2013 Extension of DMV License Suspension Laws

- 03/21/2013 Federal Case Registry Reconciliation

- 03/11/2013 Electronic Communications System Enhancements

OAH PROCEDURES TRANSMITTALS

13-03 Mailing Evidence Packet for Telephone Hearings

13-02 Waiver of Personal Appearance Instructions for Agencies

13-01b Fishman Default Letter 16 Spanish Language

13-01a Fishman Default Letter 16

13-01 Fishman v. Daines Litigation procedures [FISHMAN COURT ORDER VACATED SEPT. 2013]

2012

ADMs

- 12-ADM-08 Elimination of Finger Imaging Requirements for Purposes of the Supplemental Nutrition Assistance Program (SNAP)

- 12-ADM-07 Supplemental Nutrition Assistance Program (SNAP)-New Name for the Food Stamp Program

- 12-ADM-06 2012-13 Flexible Fund for Family Services (FFFS)

- 12-ADM-05 2012 Temporary Assistance Basic Allowance Increase

- 12-ADM-04 New York State Parolees and Temporary Assistance/Temporary Housing Assistance District of Fiscal Responsibility (DFR) Policy

- 12-ADM-03 Information about Child Support Services and Application/Referral for Child Support Enforcement Services (LDSS-4882)

- 12-ADM-02 Temporary Assistance Budgeting: 2012 Changes to the Earned Income Disregard and Poverty Level Test

- 12-ADM-01 Requirement to Make Information Available to Non-

Parent Caregivers relating to Available Services and Assistance Programs

LCMs

- 12-LCM-14 Claiming Deadlines for Federal and State Reimbursement

- 12-LCM-13 Results of the Federal Fiscal Year 2011 Data Reliability Audit and Procedures to Prevent Deficiencies

- 12-LCM-12 2012-13 Home Program Summary

- 12-LCM-11 Transportation Initiative

- 12-LCM-10 2012-13 Home Energy Assistance Program-Administrative Allocations and Program Allocations

- 12-LCM-09 Supplemental 100% SNAP Employment and Training Allocations –FFY 2012

- 12-LCM-08 2012-13 Home Energy Assistance Program-Early Outreach Process and Administrative Allocations

- 12-LCM-07 Food Stamp Employment and Training Allocations-FFY 2012

- 12-LCM-06 Continuation of OTDA Contract with Medical Providers for Consultative Medical and Psychological Examinations and Intelligence Assessments

- 12-LCM-05 Submission of TANF Claims/FFFS Plans

- 12-LCM-04 Child Support Incentives-Federal Fiscals Years 2010 and 2012

- 12-LCM-03 2012 Summer Youth Employment Program Allocations

- 12-LCM-02 Use of Food Stamp Employment and Training (FSET) Funds for Dependent Care Expenses

- 12-LCM-01 Claiming Deadlines for Federal and State Reimbursement

INFs

- 12-INF-17 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2013 – SSI Benefit Levels Chart

- 12-INF-16 Digest of Laws of 2012 Relating to Programs of the Office of Temporary and Disability Assistance

- 12-INF-15 Revision to LDSS-4887 Mail-in Recert/Eligibility Questionnaire

- 12-INF-14 Supplemental Nutrition Assistance Program Policy-Student Eligibility (Replaces 11-INF-06)

- 12-INF-13 Guidance on Use of Enhanced WMS Cross-System Clearance Process and New Statewide Clearance Report

- 12-INF-12 PUB-4916 (Rev. 12/11): Helping Hands for People in Need Brochure (No Longer Required)

- 12-INF-11 Availability of New Forms LDSS-4882 (7/12): Information about Child Support Services and Application/Referral for Child Support Services; LDSS-4882A (7/12): Information about Child Support Services; LDSS-4882B (7/12): Information for an Additional Noncustodial Parent (NCP)/Putative Father (PF); and LDSS-4882C (7/12): Information for an Additional Child

- 12-INF-10 Internal Revenue Service Mileage Reimbursement Rate

- 12-INF-09 Summer Food Service Program

- 12-INF-08 The Treatment of Subsidized Employment as Earned Income for the Food Stamp Program

- 12-INF-07 Revised LDSS-4403: "Determination of Eligibility for Emergency Assistance to Families (EAF)"

- 12-INF-06 Food Stamp Program Clarification of required Documentation/Verification

- 12-INF-05 Clarification of Food Stamp Policy for Claims Established as a Result of a Court Ordered Restitution & Revision of FS Recoupment Data Entry Form-WMS LDSS-3513 NYC

- 12-INF-03 Temporary Assistance (TA) and Medicaid (MA) Benefits for Infants Residing with their Incarcerated Mothers

- 12-INF-01 Lottery Intercept Match (LIM) for Temporary Assistance Recipients

GIS Messages

12/31/12 12TA/DC040 HEAP Initial and Ongoing Daily Mass Authorization Process (UPSTATE ONLY)

12/28/12 12TA/DC039 Opening of the 2012-13 HEAP Emergency Benefit Component

12/21/12 12TA/DC038 Second Extension of Timeframe for Allowing SNAP Purchase of Hot and Prepared Foods at Authorized FNS Retailers in Counties Impacted by Hurricane Sandy

12/19/12 12TA/DC037 Correction to the LDSS-4887: "Mail-In Recert/Eligibility Questionnaire"

12/13/12 12TA/DC036 HEAP and TA Implications for the 2012-13 Utility Termination Schedule for NYS PSC Regulated and Municipal Utility Companies

12/04/12 12TA/DC035 Temporary Suspension of Supplemental Nutrition Assistance Program Employment and Training (SNAP&T) Sanctions

12/03/12 12TA/DC034 2012-13 Home Energy Assistance Program (HEAP) Payment Information

11/26/12 12TA/DC033 Extension of Timeframe for Allowing SNAP Purchase of Hot and Prepared Foods at Authorized FNS Retailers in Counties Impacted by Hurricane Sandy

11/20/12 12TA/DC032 Processing Temporary Assistance (TA) Requests for Energy Emergencies

11/16/12 12TA/DC031 Exemption of Disaster Unemployment Insurance (DUA)

11/16/12 12TA/DC030 Restored EBT Availability

11/16/12 12TA/DC029 Availability of Emergency Manual Vouchers for SNAP During Continued Outage of EBT

11/16/12 12TA/DC028 Availability of EBT

11/15/12 12TA/DC027 NY Youth Works Program TA Budgeting/Eligibility Implications and Reporting Requirements

11/14/12 12TA/DC026 Temporary Assistance Programs for Emergencies Resulting from Superstorm Sandy

11/13/12 12TA/DC025 Extension of Certification Periods for SNAP and TA Households Impacted by Hurricane Sandy (UPSTATE ONLY FOR SELECTED COUNTIES)

11/09/12 12TA/DC025 Extension of Certification Periods for SNAP and TA Households Impacted by Hurricane Sandy (NYC ONLY)

11/06/12 12TA/DC024 Waiver Approval to Allow SNAP Purchase of Hot and Prepared Foods at Authorized FNA Retailers in the following areas affected by Hurricane Sandy: New York City, and the counties of Nassau, Orange, Putnam, Rockland, Sullivan, Suffolk, and Westchester

11/06/12 12TA/DC023 Mass Authorization for Replacement of 50% SNAP October Benefits (UPSTATE ONLY)

11/06/12 12TA/DC023 Mass Authorization for Replacement of 50% SNAP October Benefits (NYC ONLY)

11/02/12 12TA/DC022 Extension to Deadline for Reporting Loss of Food Purchased with SNAP Benefits due to Hurricane Sandy (UPSTATE ONLY)

11/02/12 12TA/DC022 Extension to Deadline for Reporting Loss of Food Purchased with SNAP Benefits due to Hurricane Sandy (NYC ONLY)

10/29/12 12TA/DC021 Disaster Preparedness for Hurricane Sandy

10/01/12 12TA/DC020 Income Eligibility Verification System (IEVS) 1099 Processing - Revised Procedure and IEVS Contact List

09/07/12 12TA/DC019 Participation of 18-21 Year Olds in NYSNIP

08/22/12 12TA/DC018 Upstate - Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 1, 2012 (UPSTATE ONLY)

08/22/12 12TA/DC018 NYC - Updated Supplemental Nutrition Assistance Program (SNAP) Standards for October 1, 2012 (NYC ONLY)

08/08/12 12TA/DC017 National Grid Program "Advocates in Action"

07/31/12 12TA/DC016 New York State Fresh/Connect Program for Supplemental Nutrition Assistance Program (SNAP) recipients

07/24/12 12TA/DC015 District Contact for Out of District/State Inquiries

07/10/12 12TA/DC014 Food Stamps Disaster Plan Local Contacts

07/03/12 12TA/DC013 Release of Updated LDSS-2642 "Documentation Requirements" Form

06/21/12 12TA/DC012 Distribution of Informational Booklets: LDSS-4148A, LDSS-4148B, and LDSS-4148C

06/15/12 12TA/DC011 Finger-Imaging Requirements in the Food Stamp Program

05/23/12 12TA/DC010 Social Services District Responsibility for Updating District Specific Information found on the OTDA Intranet and CentraPort

05/10/12 12TA/DC009 Release of Updated LDSS-3151

05/08/12 12TA/DC008 Release of Updated LDSS-3969B: "Notice of Action on Your Application/Benefit for the Child Assistance Program, Status of Medical, Food Stamps or Services"

04/24/12 12TA/DC007 Loss of Food - Crisis Situations (UPSTATE ONLY)

03/30/12 12TA/DC006 2012 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families With Children (EAF)

03/29/12 12TA/DC005 200% of Poverty Income Standards Chart - June 1, 2012 through May 31, 2013

03/15/12 12TA/DC004 NYSNIP Shelter Type 98 Standard Benefit Amount Adjustments

02/07/12 12TA/DC003 Discontinuance of WRTS Production Reports (UPSTATE ONLY)

01/12/12 12TA/DC002 National Grid Upstate New York DSS Unit Closure on Friday, January 20, 2012

01/03/12 12TA/DC001 Food Stamp program elderly and disabled household resource limit increase to \$3,250 effective 10/1/11

DCLs (Child Support)

- 11/30/2012 Banking Services Update

- 11/09/2012 Zero Dollar Current Child Support

- 10/17/2012 Website Security Enhancements Slide Show

- 10/17/2012 Website Security Enhancements Letter

- 08/17/2012 Banking Services Updates

- 07/06/2012 Property Execution Process

- 06/18/2012 Federal Interstate Case Reconciliation Data Match

- 04/10/2012 Adoption of Federal Income Withholding Notice and Worksheet

- 04/05/2012 Enhancements to Noticing of Assigned Support Collections and Disbursements

- 02/14/2012 Fraudulent Internal Revenue Service Tax Returns

OAH PROCEDURES TRANSMITTALS

12-02 Change of FS to SNAP

12-01 Change to NYCRR 358-5.5 Abandonment of a Request for a Fair Hearing

2011

ADMs

- 11-ADM-08 State-issued OCFS and OTDA IT Equipment

- 11-ADM-07 Flexible Fund for Family Services (FFFS)

- 11-ADM-06 New York State Employment

- 11-ADM-05 Temporary Assistance Budgeting: Treatment of Kinship Guardianship Assistance Program (KinGAP) Payments

- 11-ADM-04 Desk Reviews of the Distribution and Disbursement of Support Collections

- 11-ADM-03 Required Temporary Assistance for Needy Families (TANF) Reporting

- 11-ADM-02 Temporary Assistance Budgeting: 2011 Changes to the earned Income Disregard and Poverty Level Test

- 11-ADM-01 Penalty for Failure to Comply with Temporary Assistance (TA) Program Requirement to Pursue Supplemental Security Income (SSI)



## LCMs

- 11-LCM-14 2011-12 Home Energy Assistance Program (HEAP)
  - 11-LCM-13 Community Solutions for Transportation (CST XI) Funding
  - 11-LCM-12 Supplemental 100% Food Stamp Employment and Training Allocations - FFY 2011
  - 11-LCM-11 Supplemental allocations for Green Jobs Corps 2 Program
  - 11-LCM-10 2012-2013 Biennial Temporary Assistance and Food Stamp Employment Plan
  - 11-LCM-09 Supplemental Health Care Jobs 2 Program Allocations
  - 11-LCM-08 Supplemental Allocations for OTDA Transitional Jobs 2 Program
  - 11-LCM-07 2011-12 Home Energy Assistance Program-Early Mail Out Process and Administrative Allocations for Early Outreach Processing
  - 11-LCM-06 Food Stamp Employment and Training Allocations-FFY 2011
  - 11-LCM-05 Submission of TANF Claims/FFFS Plans
  - 11-LCM-04 Child Support Incentives-Federal Fiscal Years 2009 and 2011
  - 11-LCM-03 2011 Summer Youth Employment Program Allocations
  - 11-LCM-02-T Local District Emergency Closings and Reporting of Emergency Information
  - 11-LCM-02 Local District Emergency Closings and Reporting of Emergency Information
  - 11-LCM-01 Claiming Deadlines for Federal and State Reimbursement
- INFs
- 11-INF-17 Digest of Laws of 2011 Relating to Programs of the Office of Temporary and Disability Assistance
  - 11-INF-16 Introduce LDSS-4973: "Manual Child Support Pass-Through Payment Determination Worksheet"
  - 11-INF-15 Process for Requesting Temporary Assistance Recertification Waiver(s)
  - 11-INF-14 Revised "Request for Voluntary Restricted Payments" (LDSS-4580)
  - 11-INF-13 Limited Revisions to the LDSS-3707, LDSS-4527, LDSS-4732A, LDSS-4732B, and LDSS-4778
  - 11-INF-12 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2012-SSI Benefits Levels Chart
  - 11-INF-11 Rest of State (ROS)-ABEL Initial Grant Proration
  - 11-INF-10 Electronic Interim Assistance Reimbursement (eIAR) Implementation Questions and Answers
  - 11-INF-09 New Form LDSS-4982 (5/11): "How Do I Apply for Food Stamps?"
  - 11-INF-08 Revisions to Manual Client Notices
  - 11-INF-07 District Policy Options
  - 11-INF-04 Client Benefit Identification Card (CBIC) "Vault" Cards (Upstate Only)
  - 11-INF-02 Conditional Certifications for the Work Opportunity Tax Credit (WOTC)
  - 11-INF-01 Revisions to LDSS-4230 (Conciliation Notification) GIS Messages
- 12/06/11 11TA/DC026 SSI COLA and NYSNIP Standard Benefit Amount Adjustments (UPSTATE ONLY)
- 12/06/11 11TA/DC026 SSI COLA and NYSNIP Standard Benefit Amount Adjustments (NYC ONLY)
- 11/16/11 11TA/DC025 Processing Requests for Energy Related Emergencies
- 09/28/11 11TA/DC024 Disaster Food Stamp Benefits Program of 2011 Questions and Answers

- 09/23/11 11TA/DC023 Extension of Requests for Replacement of Food Stamp Benefits due to Hurricane Irene
- 09/21/11 11TA/DC022 Instructions for LDSSs Operating a Disaster Food Stamp Benefit Program due to Hurricane Irene
- 09/20/11 11TA/DC021 Requests for Replacement August Food Stamp Benefits due to Hurricane Irene
- 09/09/11 11TA/DC020 Temporary Assistance Payments for Emergencies Resulting from Hurricane Irene and Tropical Storm Lee
- 09/07/11 11TA/DC019 Requests for Replacement Food Stamp Benefits
- 09/02/11 11TA/DC018 Issuing Replacement Food Stamp Benefits
- 08/26/11 11TA/DC017 Disaster Preparedness
- 08/18/11 11TA/DC016 National Voter Registration Act (NVRA) Responsibilities - 2011 Primary Election
- 08/17/11 11TA/DC015 ROS - Updated Food Stamp Standards for October 1, 2011 (UPSTATE ONLY)
- 08/17/11 11TA/DC015 NYC - Updated Food Stamp Standards for October 1, 2011 (NYC ONLY)
- 08/02/11 11TA/DC014 Use of Accurate WMS Payment Types for Temporary Housing (UPSTATE ONLY)
- 06/30/11 11TA/DC013 Social Service Responsibility for Submission of Voter Registration Forms Received via Electronically Submitted Applications
- 06/07/11 11TA/DC012 False or Misleading Marital Status Information Admission Statement Form and Food Stamp Program Intentional Program Violations
- 05/31/11 11TA/DC011 Revisions to LDSS-4725 (TANF Services Certification/ Application Review Form)
- 04/26/11 11TA/DC010 Delayed Mailing of March Periodic Reports (LDSS-4310)
- 04/04/11 11TA/DC009 200% of Poverty Income Standards Chart - June 1, 2011 through May 31, 2012
- 03/25/11 11TA/DC008 Second HEAP Emergency Benefit for 2010-11
- 04/12/11 11TA/DC007 REISSUED - 2011 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)
- 03/08/11 11TA/DC006 Temporary Assistance and Food Stamp Implications of the Changes to Medicaid Citizenship Documentation Requirements
- 03/04/11 11TA/DC005 Redesigned I-551 Permanent Resident Card (Green Card)
- 02/15/11 11TA/DC004 UPS Required Adjustment to Food Stamp Standard Utility Allowance (SUA) Values (UPSTATE ONLY)
- 02/15/11 11TA/DC004 NYC Required Adjustment to Food Stamp Standard Utility Allowance (SUA) Values (NYC ONLY)
- 02/01/11 11TA/DC003 Food Stamp Disaster Plan Local Contacts
- 02/01/11 11TA/DC002 The Treatment of Tax Refunds and Credits: TA and FS Policy Implications of the "Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010"
- 01/26/11 11TA/DC001 Reminder on the Budgeting of Restored FS Benefits for Households with Individuals who Have Received a Retroactive Determination of SSI Eligibility
- DCLs (Child Support)
- 12/19/2011 Approved Paternity Testing Laboratories List
  - 12/19/2011 Approved Paternity Testing Laboratories Letter
  - 12/01/2011 Quarterly Wage Reporting Chart
  - 12/01/2011 Quarterly Wage Reporting of Available Dependent Health Insurance
  - 11/09/2011 Multiple Document Data Capture Instructions
  - 11/09/2011 Multiple Document Data Capture Enhancements
  - 09/16/2011 Administrative Subpoena Forms
  - 09/07/2011 Unemployment Insurance Benefits Payment Processing
  - 08/31/2011 Administrative Subpoena Forms



- 08/16/2011 Electronic Communication System Enhancements
- 08/11/2011 Employer Reporting of Dependent Health Insurance
- 08/09/2011 New FIDM Contract
- 05/23/2011 Procedural Changes to Rejected Federal Tax Refund Offset Collections
- 03/16/2011 Court-Based License Suspension Process
- 03/10/2011 Enhancements to the Nightly Application Process
- 03/02/2011 Personal Information Form
- 02/18/2011 Electronic Communication System Reject Report
- 01/27/2011 Federal Case Registry Enhancements
- OAH PROCEDURES TRANSMITTALS
- 11-001 Reissued Document Imaging Instructions for Agencies
- 2010
- ADMs
  - 10-ADM-07 Provision of Temporary Housing Assistance (THA) to Sex Offenders-Chapter 568 of the Laws of 2008
  - 10-ADM-06 2010-11 Flexible Fund for Family Services (FFFS)
  - 10-ADM-05-P Purchase of Service Agreements/Memorandum of Understanding for the Child Support Program
  - 
  - 10-ADM-04 Increase in the Pass-through and Disregard of Support Payments-Phase II
  - 10-ADM-03 Providing Temporary Assistance Applicants and Recipients with Information Regarding Sexual Assault
  - 10-ADM-02 Legal Services and Cost Recovery for Recipients of Child Support Services
  - 10-ADM-01 Changes to Assignment of Support Rights and Child Support Distribution in Current-Assistance Cases
- INFs
  - 10-INF-24 Digest of Laws of 2010 Relating to Programs of the Office of Temporary and Disability Assistance
  - 10-INF-23 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2011
  - 10-INF-22 Accessing Applications for Temporary Assistance (TA), the Food Stamp Program and to the Home Energy Assistance Program (HEAP)
  - 10-INF-21 New myBenefits Poster
  - 10-INF-20 Obsolete LDSS-4148D New Information About Temporary Assistance and Food Stamps
  - 10-INF-19 Home Energy Assistance Program: Elimination of 105 Day Rule
  - 10-INF-18 Revision to the LDSS-4884: Temporary Assistance Emergency Emergencies Comparison Table
  - 10-INF-17 Revised LDSS-4958 "TA Sanction & Denial Policy/Participation Rate Impact Guide"
  - 10-INF-16 Revised LDSS-3152: "Action Taken on Your FS Benefit Case"
  - 10-INF-15 Temporary Assistance (TA) Policy Implications Regarding Electronic Interim Assistance Reimbursement (e-IAR) Activation
  - 10-INF-14 Electronic Application and Signatures
  - 10-INF-13 Revised LDSS-4526 (Rev. 6/2010) Medical Examination for Employability Assessment, Disability Screening, and Alcoholism/Drug Addiction Determination and Release of Cover Letter to Accompany the Request for Medical Information Model Document
  - 10-INF-12 Revised LDSS-3668: "Shelter Verification" Form
  - 10-INF-11-T Revised LDSS-3087 Application/Recertification Guide Dog Food Program
  - 10-INF-10 Temporary Assistance (TA) and Employment Program Requirements for Individuals 18 to 21 Years Old Residing with Their Parent(s)
  - 10-INF-09 Temporary Assistance Questions and Answers
  - 10-INF-08 Elevate America Program
  - 10-INF-07 LDSS-4943 (11/09): "Food Stamp Benefits Categorical Eligibility Desk-Aid"
  - 10-INF-06 Revision to the LDSS-4314: "FS Benefits Household Composition Desk Guide"
  - 10-INF-05 Revised PUB-4716: Every Day, Seniors Just Like You Get Food Stamps
  - 10-INF-04 Revision to PUB-4916: Helping Hands for People in Need Brochure
  - 10-INF-03 Revised LDSS-3938 (NYC): "Food Stamp Application Expedited Processing Summary Sheet" and LDSS-4921: "Working Families Food Stamp Initiative Screening Sheet"
  - 10-INF-02 Resolution of Doe v. Doar Cases on the WINR9482
  - 10-INF-01 Revisions to the LDSS-4148C "What You Should Know If You Have An Emergency, Questions and Answers Book- 3" (Rev.10/09)
- LCMs
  - 10-LCM-18 Funding for OTDA Transitional Jobs 2 Program
  - 10-LCM-16 OTDA Health Care Jobs Corps 2 Program
  - 10-LCM-15 OTDA Green Jobs Corps 2 Program
  - 10-LCM-14 Supplemental 100% Food Stamp Employment and Training Allocations-FFY 2010
  - 10-LCM-13 2010-11 Home Energy Assistance Program (HEAP) Early Mail Out-Additional Administrative Funds
  - 10-LCM-12 Food Stamp/Supplemental Nutrition Assistance (SNAP) Administrative Funding under the Defense Bill
  - 10-LCM-11 State On-Line Query (SOLQ) System: Policy Guidelines, Ongoing Audit Responsibilities, and Information Security
  - 10-LCM-10 Flexible Fund for Family Services (FFFS) 201-2011 Allocations and Child Welfare Services Thresholds
  - 10-LCM-09 Submission of TANF Special Project Claims/FFFS Plans
  - 10-LCM-08 2010 TANF Summer Youth Employment Program Allocations
  - 10-LCM-07 Food Stamp Employment and Training Allocations-FFY 2010
  - 10-LCM-06 Funding for Intensive Case Services for Noncompliant Families (ICS4)
  - 10-LCM-05 Temporary Assistance Basic Allowance Grant Increase-Payment to Local Districts
  - 10-LCM-04 Claiming Deadlines for State Reimbursement Revised
  - 10-LCM-03 NY Connects (formerly Long Term Care Point of Entry) Program Year 4
  - 10-LCM-02 2010 Census Promotion
  - 10-LCM-01 Child Support Incentives - Federal Fiscal Year 2008 (FFY2008)
- GIS Messages
  - 12/17/10 10TA/DC029 Issuing Emergency Payments Using WMS Payment Type Codes 13, E8, N1 and Special Claiming Category Code P on Active Non-Temporary Assistance Food Stamp, Active Medicaid Case or at the Time of a Temporary Assistance Application Denial (UPSTATE ONLY)
  - 12/16/10 10TA/DC028 Termination of the \$25 per week UIB Supplement and FS Income Exclusion (UPSTATE ONLY)
  - 12/16/10 10TA/DC028 Termination of the \$25 per week UIB Supplement and FS Income Exclusion (NYC ONLY)
  - 12/01/10 10TA/DC027 Timeframe for Social Service Districts (DSSs) to Report Interim Assistance Reimbursement (IAR) on the e-IAR System
  - 11/23/10 10TA/DC026 Clark v. Astrue: Temporary Assistance (TA) and Food Stamps (FS) Policy for Probation and Parole Violators
  - 11/03/10 10TA/DC025 Processing Requests for Energy Related Emergencies
  - 10/01/10 10TA/DC024 Extension of the Validity of Puerto Rico Birth Certificates

09/23/10 10TA/DC023 Delay in the Implementation of the Electronic Interview Assistance Reimbursement (e-IAR) Project

08/18/10 10TA/DC022 UPS - Updated - Food Stamp Standards for October 1, 2010 (UPSTATE ONLY)

08/18/10 10TA/DC022 NYC - Updated - Food Stamp Standards for October 1, 2010 (NYC ONLY)

08/13/10 10TA/DC021 EBT Cash and Food Stamp Adjustment due to Network Outage on July 15 and 16, 2010

08/05/10 10TA/DC020 Budgeting of Extended Unemployment Insurance Benefits (UIB) and Treatment of the \$25.00 Weekly Federal Additional Compensation (FAC) Payments (UPSTATE ONLY)

08/05/10 10TA/DC020 Budgeting of Extended Unemployment Insurance Benefits (UIB) and Treatment of the \$25.00 Weekly Federal Additional Compensation (FAC) Payments (NYC ONLY)

07/22/10 10TA/DC019 Documentation of Unemployment Insurance (UI) Benefits (UPSTATE ONLY)

07/09/10 10TA/DC018 Amendment to Law 191 Invalidating Puerto Rico Birth Certificate

06/21/10 10TA/DC017 Availability of "Know Your Options: Relatives Caring for Children"

06/18/10 10TA/DC016 Law 191 Invalidating Puerto Rican Birth Certificates

06/02/10 10TA/DC015 Authorization of Energy Assistance for Emergencies for Grantees Receiving Supplemental Security Income (SSI)

06/01/10 10TA/DC014 Update on the 2010 Earned Income Disregard (EID) and Poverty Level Test

04/14/10 10TA/DC013 Extension of Case Services 4 Program Period

03/26/10 10TA/DC012 Extension of the 2009 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

03/10/10 10TA/DC011 Availability of "Having a Voice and a Choice: New York State Handbook for Relatives Raising Children"

03/05/10 10TA/DC010 The Treatment of Making Work Pay and Child Tax Credits for TA, MA, and FS

02/18/10 10TA/DC008 REVISED Treatment of 2010 Census Temporary Income using new Earned Income Source Code '75 - Census Income (PA Only) and Exclusion of Temporary Census Income from Food Stamp Budgeting

02/16/10 10TA/DC007 Treatment of 2010 Census Temporary Income using new Earned Income Source Code '75 - Census Income (PA Only) and Exclusion of Temporary Census Income from Food Stamp Budgeting

02/12/10 10TA/DC006 Laser-printed NTA FS Recertification Applications

02/12/10 10TA/DC005 Elimination of the Eight Month Time Limit for Afghan and Iraqi Special Immigrants to Receive Refugee Benefits

02/05/10 10TA/DC004 False or Misleading Marital Status Information and Food Stamp Program Intentional Program Violations

01/22/10 10TA/DC003 Reminder of Change to Medicare Part B Premium

01/14/10 10TA/DC002 Extension of the Final Date for Resolution of Potentially Eligible Households for the 2009 Back-to-School One-Time Payment (UPSTATE ONLY)

01/08/10 10TA/DC001 Exclusion of \$25 per week UIB Supplement from Food Stamp Income (UPSTATE ONLY)

01/08/10 10TA/DC001 Exclusion of \$25 per week UIB Supplement from Food Stamp Income (NYC ONLY)

DCLs (Child Support)

- 12/29/2010 Title IV-E Foster Care Case Changes in CSMS
- 10/29/2010 CSMS IVDJRH Screen
- 10/29/2010 CSMS IVDJCI Screen
- 10/29/2010 CSMS Medical Indicator Values Chart
- 10/29/2010 CSMS CSSA Module

• 10/29/2010 CSMS Changes and Revised Medical Support Documents

• 10/15/2010 Noncustodial Parent Poverty-Level Pilot Summary

• 10/15/2010 Noncustodial Parent Poverty-Level Pilot

• 10/13/2010 Banking Services Enhancements

• 10/07/2010 Low Income Support Obligation Performance Improvement Act (LISOPIA)

• 09/22/2010 Child Support Services Available to Noncustodial Parents Attachment

• 09/22/2010 Child Support Services Available to Noncustodial Parents

• 05/26/2010 Interstate Central Registry Document Processing

• 05/04/2010 Incarcerated Noncustodial Parents DOCS Website Lookup

• 05/04/2010 Incarcerated Noncustodial Parents

• 03/10/2010 Childs Support Standards Act Letter

• 02/17/2010 Purging Case History Transactions

• 01/11/2010 Tax Offset Process Changes

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ADMs

• 09-ADM-24 Changes to 18 NYCRR 350.4 Impacting the Safety Net Assistance (SNA) Application Supplement and the Recognition of Same Sex Marriages

• 09-ADM-22 Food Stamp Transitional Benefit Alternative (TBA) for Households with Children Leaving Safety Net Assistance

• 09-ADM-21 Temporary Assistance Excess Support Process and Procedures for Reviewing Cases that have Support Collections in Excess of the Temporary Assistance Deficit

• 09-ADM-20 Employment Sanctions and the Redetermination of Benefits

• 09-ADM-19 Changes to Assignment of Support Rights and Child Support Distribution for Recipients of Temporary Assistance

• 09-ADM-18 Temporary Assistance (TA) Policy Implications of Implementation of Electronic Interim Assistance Reimbursement (e-IAR)

• 09-ADM-17 Changes to the Utility Arrears Repayment Agreement Terms and Enforcement Option

• 09-ADM-16 Enrollments in Educational Activities for Nonexempt Public Assistance Applicants and Recipients

• 09-ADM-15 Change in the Requirement to Recover Temporary Assistance (TA) Overpayments

• 09-ADM-14 Employment Assessments for Exempt Public Assistance Applicants and Recipients in Households Without Dependent Children

• 09-ADM-13 Temporary Assistance Basic Allowance Grant Increase

• 09-ADM-12 2009-10 Flexible Fund for Family Services (FFFS) (re-issued)

• 09-ADM-11 Transitional Employment Advancement Program (TEAP)

• 09-ADM-10 Shelter Supplementation Plans for Safety Net Assistance Single Adults and Childless Couples

• 09-ADM-09 Essential Persons

• 09-ADM-08 Participation in Food Stamp Program by Students in Institutions of Higher Education

• 09-ADM-07 Property Execution Procedures for Mistake of Fact and/or Exempt Money Claims

• 09-ADM-06 Expansion of Categorical Eligibility for Food Stamps for Households with Out-of-pocket Dependent Care Expenses

• 09-ADM-05 Temporary Assistance Budgeting: 2009 Changes to the Earned Income Disregard and the Poverty Level Income Test

• 09-ADM-04 Temporary Assistance (TA) Payment Type Codes--Designations as Assistance or Non-Assistance

• 09-ADM-03 Change to the AIDS/HIV-related Illness Emergency Shelter Allowance

- 09-ADM-02 Income Execution Process
- 09-ADM-01 New York State Anti-Trafficking Statute INFs
- 09-INF-24 Questions and Answers from September 2009 Conference Call on the Transitional Employment Advancement Program (TEAP)
- 09-INF-22 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2010 - SSI Benefit Levels Chart
- 09-INF-21 Revision to LDSS-4887 Mail-in recertification/Eligibility Questionnaire
- 09-INF-20 Countability of Job Search and Job Readiness Training Activities
- 09-INF-19 Revisions to LDSS-4836, LDSS-4836-SP, LDSS-4836 NYC, LDSS-4836-SP NYC, LDSS-4841, and LDSS-4841-SP
- 09-INF-18 5/08 Revisions to the LDSS-4826: "Food Stamp Benefits Application/Recertification" and LDSS-4826A: "How to complete the Food Stamp Benefits Application/Recertification"
- 09-INF-17 Addendum to the Client Information Books – LDSS-4148D: "New Information About Temporary Assistance and Food Stamps"
- 09-INF-16 LDSS-4942: "Food Stamp Program Authorized Representative Request Form" (3/09)
- 09-INF-15 Re-instatement of form LDSS-2640: "Request for Action/Services"
- 09-INF-13 Revised LDSS-1410: Life Insurance Information Request-Prudential and Met Life
- 09-INF-12 Program Integrity Questions and Answers
- 09-INF-11 Local District Security Provisions for Hearing Officers
- 09-INF-10 Modifications made to the Upstate CSMS 8649: "Obligation and Collection Greater Than Assistance Granted" Report and New York City CSMS 8649: "Obligation and Collection Greater Than Assistance Granted" Report
- 09-INF-09 Revised PUB-4596: EBT Training Brochure
- 09-INF-08 Distance Learning Education and Training
- 09-INF-07 Introduce the LDSS-4958: "TA Sanction & Denial Policy/Participation Rate Impact Guide"
- 09-INF-06 Revisions to the LDSS-4148B - What You Should Know About Social Services Programs – Book 2
- 09-INF-05 Revisions made to the LDSS-4279: "Notice of Responsibilities and Rights for Support" and LDSS-4279 SP: "Notice of Responsibilities and Rights for Support Spanish"
- 09-INF-04 Digest of Laws of 2007 Relating to programs of the Office of Temporary and Disability Assistance
- 09-INF-03 Temporary Assistance (TA) Case Composition When a Child Attains Age 18
- 09-INF-02 WorkPays NY: Introduction of the WorkPays NY Promotional Material and Resource Guide/Checklist
- LCMs
- 09-LCM-19 Discontinuation of SOLQ Access For HEAP Eligibility Workers and Alternate Certifiers Effective January 1, 2010
- 09-LCM-18 Stimulus Food Stamp / Supplemental Nutrition Assistance Program Administrative Funding under the American Recovery and Reinvestment Act
- 09-LCM-17 New Supplemental Security Income (SSI) Local Management Report
- 09-LCM-16 Availability of Safety Net Assistance Project (SNAP 8) Funding
- 09-LCM-15 2010-2011 Biennial Temporary Assistance and Food Stamp Employment Plan
- 09-LCM-14 Supplemental 100% Food Stamp Employment and Training Allocations – FFY 2009
- 09-LCM-14 Supplemental 100% Food Stamp Employment and Training Allocations – FFY 2009
- 09-LCM-13 Systems Availability Schedule
- 09-LCM-12 Adjustment of Transaction Charges for the Federal Systematic Alien Verification for Entitlements (SAVE) Program
- 09-LCM-11 OTDA Transitional Jobs Program
- 09-LCM-10 OTDA Health Care Jobs Program
- 09-LCM-09 OTDA Green Jobs Corps Program
- 09-LCM-08 Funding for Community Solutions for Transportation (CST)
- 09-LCM-07 Submission of TANF Special Project Claims/FFFS Plans
- 09-LCM-06 NY Connects (formerly Long Term Care Point of Entry) Program Year 3
- 09-LCM-05 Food Stamp/Supplemental Nutrition Assistance Program Administrative Funding under the American Recovery and Reinvestment Act
- 09-LCM-04 Food Stamp Employment and Training Allocations-FFY 2009
- 09-LCM-03 2009 TANF Summer Youth Employment Program (SYEP) Allocations
- 09-LCM-02 Support Incentives—Federal Fiscal Year 2007 (FFY 2207)
- GIS Messages
- 12/15/09 09TA/DC036 Randomization of CBIC Numbering
- 12/02/09 09TA/DC035 Food Stamp Disaster Plan Local Contacts
- 11/16/09 09TA/DC034 CNS/WMS Alcohol & Substance Abuse Sanction Code Changes (UPSTATE ONLY)
- 11/03/09 09TA/DC033 Meeting Energy Emergencies with HEAP
- 10/28/09 09TA/DC032 Changes to Pass-through and Disregard of Support Payments Effective January 1, 2010 (NYC ONLY)
- 10/20/09 09TA/DC031 Work Activity Attendance Documentation
- 10/14/09 09TA/DC029 Resolution of Potentially Eligible Households for the 2009 Back-to-School One-Time Payment (UPSTATE ONLY)
- 09/28/09 09TA/DC028 TA Policy and District of Fiscal Responsibility (DFR) Procedures, Mediation and Intervention Services
- 09/21/09 09TA/DC027 Save the Date for Upstate Temporary Assistance (TA) Conference Calls (UPSTATE ONLY)
- 09/01/09 09TA/DC026 Extension of the Repayment Terms of the Utility Arrears Repayment Agreement
- 08/27/09 09TA/DC025 SOLQ Reference Guide Revised August 2009 and Available Online
- 08/18/09 09TA/DC024 Updated - Food Stamp Standards for October 1, 2009 (UPSTATE ONLY)
- 08/18/09 09TA/DC024 Updated - Food Stamp Standards for October 1, 2009 (NYC ONLY)
- 08/14/09 09TA/DC023 Revised LDSS-3938 (NYC): "Food Stamp Application Expedited Processing Summary Sheet (NYC ONLY)"
- 08/11/09 09TA/DC022 Human Trafficking Program Liaison
- 08/05/09 09TA/DC021 2009 Back to School One-Time Payment
- 07/28/09 09TA/DC020 Revised LDSS-4921: "Working Families Food Stamp Initiative Screening Sheet"
- 07/27/09 09TA/DC019 USDA Clarification on Action for Returned Mail for Simplified (Six Month) Reporters
- 07/06/09 09TA/DC017 Changes to Pass-through and Disregard of Support Payments effective July 1, 2009 (UPSTATE ONLY)
- 07/06/09 09TA/DC016 Transitional Food Stamp Benefits for Participants of the TA Grant Diversion Programs (TEAP)
- 06/30/09 09TA/DC015 Federal Minimum Wage Increase and Its Effects on Temporary Assistance and Food Stamp Programs
- 05/08/09 09TA/DC013 Discontinuance of Upstate WRTS Production Reports (UPSTATE ONLY)
- 04/21/09 09TA/DC012 200% of Poverty Income Standards Chart - June 1, 2009 through May 31, 2010
- 04/10/09 09TA/DC011 TA, FS, and HEAP Treatment of American Recovery and Reinvestment Act (ARRA) of 2009 \$25 Per Week Increase to Unemployment Insurance Benefits (UIB)
- 03/31/09 09TA/DC010 Notification of date of the automated pro-



cess to implement change to the treatment of certain payment type codes discussed in 09 ADM-04

03/19/09 09TA/DC009 Treatment of the One-Time Stimulus Payments from the American Recovery and Reinvestment Act (ARRA) of 2009

03/17/09 09TA/DC008 Updated Food Stamp Standards for April 1, 2009 (UPSTATE ONLY)

03/17/09 09TA/DC008 Updated Food Stamp Standards for April 1, 2009 (NYC ONLY)

03/10/09 09TA/DC006 Use of “Financial Statement” (LDSS-3596) for Utility Arrearage Assistance and the Updated Food/Non-Food Expense Guidelines

03/10/09 09TA/DC005 Return Date for Mailing of LDSS-4130 Periodic Reports to Six-Month Reporting Food Stamp Households (UPSTATE ONLY)

02/11/09 09TA/DC003 2009 Emergency Program Income guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

01/16/09 09TA/DC002 NYSNIP Standard Benefit Amount Adjustments (NYC ONLY)

01/09/09 09TA/DC001 NYSNIP Standard Benefit Amount Adjustments (UPSTATE ONLY)

DCLs (Child Support)

- 11/17/2009 Electronic Communication System Enhancements
- 08/19/2009 Child Support Legislation
- 06/19/2009 Banking Services: SafePass Tokens
- 06/01/2009 Customer Service Helpline: Third Party Referrals
- 03/27/2009 Issuance of the Income Withholding for Support to Employers

- 03/05/2009 Listing of In-Network Automated Teller Machines
- 03/05/2009 EPPI Card Brochure

• 03/05/2009 New Contract for Centralized Support Collection and Enforcement

- 02/18/2009 Request to Withdraw Passport Denial Form
- 02/18/2009 Change to Request to Withdraw Passport Denial Form
- 01/29/2009 Income Execution Resources Letter

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09-02 Appearances at Upstate Hearings

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- 08-ADM-12 Support NCP Poverty Level Pilot Initiative
- 08-ADM-11 Interim Assistance Reimbursement (IAR) Consolidated Policy and Procedures

• 08-ADM-10 Deficit Reduction Act (DRA) Annual Service Fee for Child Support

• 08-ADM-09 Farm Bill Reauthorization Provisions of Food Stamp Program for 2008

• 08-ADM-08 Increase in the Pass-through and Disregard of Support Payments

• 08-ADM-07 Implementation of Final Temporary Assistance for Needy Families (TANF) Rule

• 08-ADM-06 Social Security Administration Automation of Interim Assistance Reimbursement (IAR), Direct Deposit Authorization for IAR Payments, Government to Government Services Online (GSO) Registration, and Monthly IAR E-Report

• 08-ADM-05 SSI- Screening/ Identification, Referral and Tracking Requirements

• 08-ADM-04 Treatment of Income from Adoption Subsidy Payments and Foster Care Payments in Determining Food Stamp Program Eligibility and Benefit Amount

• 08-ADM-03 Substance Abuse Treatment for Adolescents – Conversion of Some Facilities that Treat Adolescents from Congregate Care Level 2 to Medical Facilities Under Residential Rehabilitation Services for Youth (RRSY)

• 08-ADM-02 2008-09 Flexible Fund for Family Services (FFFS)

INFs

• 08-INF-19 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2009-SSI Benefit Levels Chart

• 08-INF-18 Revisions to LDSS-4925: “Employability Code Desk Guide TANF and SN MOE” and LDSS-4926: “Employability Code Desk Guide SN non-MOE”

• 08-INF-17 Temporary Assistance: Financial Institution Resource Clearance

• 08-INF-16 Non-Parent Caregivers and Good Cause

• 08-INF-15 Revision to LDSS-3696 “Job Search Handbook”

• 08-INF-14 Temporary Assistance (TA): Income Eligibility Verification System (IEVS) 1099 Processing for Local Districts

• 08-INF-12 Pathways and Similar Case Management Models

• 08-INF-11 Revised and Reformatted PUB-4596: EBT Training Brochure

• 08-INF-10 Employment Verifications- Local District Commitment to a Revenue Intercept for Utilization of TALX Corporation eXpress Services under the OTDA Statewide Contract with TALX Corporation

• 08-INF-09 Temporary Assistance Questions and Answers

• 08-INF-08 Verified Employment Data (VED) Information Added to Upstate RFI

• 08-INF-07 Working Families Food Stamp Initiative Q and As

• 08-INF-06 Online availability of the LDSS-4903: “Disqualification Consent Agreement” and LDSS-4904: “Notice of Consequences to a Disqualification Consent Agreement”

• 08-INF-05 LDSS-4905: Domestic Violence Information for All Temporary Assistance Applicants

• 08-INF-03 Categorical Eligibility for Food Stamps Q & As

• 08-INF-02 LDSS-4583: Domestic Violence Screening Form (Rev. 9/07)

LCMs

• 08-LCM-13 Funding for Intensive Case Services for Noncompliant Families (ICS3)

• 08-LCM-12 Availability of Safety Net Assistance Project (SNAP) Funding

• 08-LCM-11 Automated Termination of Food Stamp (FS) Claims

• 08-LCM-10 Supplemental 100% Food Stamp Employment and Training Allocations - FFY 2008

• 08-LCM-09 Home Energy Assistance Program (HEAP) Office of the State Comptroller (OSC) Payment Process

• 08-LCM-08 NY Connects (formerly Long Term Care Point of Entry Program)

• 08-LCM-07 Work Incentive Fund Allocations 2008-09

• 08-LCM-06 Local Administration Fund (LAF) Base Allocations 2008-2009

• 08-LCM-05 Funding Available for Community Solutions for Transportation (CST)

• 08-LCM-04 2008-09 Home Energy Assistance Program (HEAP) Targeted Mail Out

• 08-LCM-03 Submission of TANF Special Project Claims/FFFS Plans

• 08-LCM-02 Child Support Incentives-Federal Fiscal Year 2006 (FFY 2006)

• 08-LCM-01 Food Stamp Employment and Training Allocations - FFY 2008

GIS Messages

12/23/08 08TA/DC034 Extension of the Ten Day Reporting Deadline for Request of Replacement Food Stamp Benefits

12/22/08 08TA/DC033 Survey of Social Services Districts (SSDs) for Information Needed to Implement New Laws Regarding Temporary Housing for Sex Offenders

12/19/08 08TA/DC032 Food Stamp Budgeting Reminder: Increased Standard Utility Allowances

12/17/08 08TA/DC031 (REVISED) Issuing Replacement Food Stamp Benefits and Emergency Food Replacement (UPSTATE ONLY)



11/25/08 08TA/DC029 Estimating Automobile Value: Change in the National Automobile Dealers Association (NADA) Pricing Terminology

11/25/08 08TA/DC028 2008 Food Stamp Bonus Award Allocation  
11/14/08 08TA/DC027 OMRDD Regional Meetings and Food Stamp Applications for Group Home Residents

11/05/08 08TA/DC026 Suspending Enforcement of Utility Repayment Agreements during the Cold Weather Period

10/17/08 08TA/DC025 Claims Establishment for Food Stamp Cases Affected by Deletion of Adoption Subsidy Income during the ALL MRB/A (UPSTATE ONLY)

10/06/08 08TA/DC024 Meeting Energy Emergencies with HEAP  
09/30/08 08TA/DC023 Increase in Pass-through and Disregard of Support Payments

09/24/08 08TA/DC022 Group Home and Congregate Care Budgeting (UPSTATE ONLY)

09/24/08 08TA/DC022 Group Home and Congregate Care Budgeting (NYC ONLY)

09/18/08 08TA/DC021 Use of the "Financial Statement (LDSS-3596) for Utility Arrearage Assistance and the Updated 2007-08 Food/Non-Food Guidelines

09/15/08 08TA/DC020 Electronic IAR Phone Conference

08/14/08 08TA/DC019 Updated – Food Stamp Standards for October '08 (NYC ONLY)

08/14/08 08TA/DC019 Updated - Food Stamp Standards for October'08 (UPSTATE ONLY)

07/30/08 08TA/DC018 Food Stamp Notice of Missed Interview (NOMI) Notice

07/24/08 08TA/DC017 Federal Minimum Wage Increase & Food Stamp Work Exemption

07/22/08 08TA/DC016 New Policy and Closing Codes for Fleeing Felons and Probation and Parole Violators (NYC ONLY)

07/22/08 08TA/DC016 New Policy and Closing Codes for Fleeing Felons and Probation and Parole Violators (UPSTATE ONLY)

07/22/08 08TA/DC015 National Voter Registration Act (NVRA) Responsibilities – 2008 General Election

06/26/08 08TA/DC014 SDX Manual Renamed SDX Reference Guide, Revised March 2008, and Available Online

06/19/08 08TA/DC013 Automated Termination of Food Stamp (FS) Claims

05/28/08 08TA/DC012 Social Services District Responsibility for Updating District Specific Information Found on the OTDA Intranet and CentraPort

04/22/08 08TA/DC011 200% of Poverty Income Standards Chart - June 1, 2008 through May 31, 2009

04/08/08 08TA/DC010 Addition of Verified Employment Data (VED) to RFI for ALL Upstate LDSS's (UPSTATE ONLY)

04/08/08 08TA/DC009 Federal Economic Stimulus Tax Rebate

04/04/08 08TA/DC008 Guidance of Afghan & Iraqi Nationals Granted Special Immigrant Status by the U.S. Citizenship & Immigration Services (USCIS)

03/20/08 08TA/DC007 Third Set of Conference Calls Regarding Necessary Action on Closed Cases Discussed in 07 ADM-06 Doe v. Doar - Unfavorable Appellate Court Decision on the Proration Policy transmitted in 04 ADM-05 "TA & Non-TA Mixed Households, Budgeting when the Family Includes an SSI Member"

03/20/08 08TA/DC006 2008 Emergency Program Income Guidelines for ESNA & EAF

03/07/08 08TA/DC005 Addition of Verified Employment Data (VED) to RFI (UPSTATE ONLY)

02/29/08 08TA/DC004 Categorical Eligibility for Food Stamps / Helping Hands Brochure

02/08/08 08TA/DC003 Updates to the Temporary Assistance & Food Stamp Policy Manual

01/17/08 08TA/DC002 Public Housing Authority Shelter Allowance Change in Approval Process

01/11/08 08TA/DC001 Temporary Assistance: Safety Net Assistance (SNA) 45 Day Application Period During a Leap Year

DCIs (Child Support)

• 12/30/2008 Impact of Statutory Amendments on PEX and PIC Processes

• 11/25/2008 Enhanced Driver's License Program

• 11/20/2008 Poverty-Level Noncustodial Parent Modification and Arrears Pilot

• 09/26/2008 Tax Law Change and Offset of STAR Rebates

• 06/30/2008 Money Screen Confidentiality

• 05/19/2008 Desk Review Confirmation Notice

• 05/19/2008 Desk Review Confirmation Notification Procedure

• 04/22/2008 Desk Review Request Form and Instructions

• 04/22/2008 Desk Review Request Form Letter

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08-13a Attachment New Scripted Letter J Varshavsky Withdrawals

08-13 New Scripted Letter J Varshavsky Withdrawal Procedures

08-04 Reissued Document Imaging Instructions for Local Agencies 2007

ADMs

• 07-ADM-10 The Working Families Food Stamp Initiative (WFFSI)

• 07-ADM-09 Categorical Eligibility for Food Stamps

• 07-ADM-08 Safety Net Assistance (SNA) Households Without Dependent Children (Singles and Childless Couples) Work Activity Definitions and Participation Rate Methodology

• 07-ADM-07 Unaccompanied Refugee Minors (URM) Program

• 07-ADM-06 Doe v. Doar – Unfavorable Appellate Court Decision on the Proration Policy Transmitted in 04 ADM-05 "Temporary Assistance and Non-Temporary Assistance Mixed Households; Budgeting When the Family Includes an SSI Member"

• 07-ADM-05 Food Stamp Change Reporting for Ten-Day Reporters

• 07-ADM-04 2007-08 Flexible Fund for Family Services (FFFS)

07-ADM-03 The Recoupment of Duplicate Restricted Rental Payments and Change of Timely Reporting Requirements from Five (5) Business Days to Ten (10) Calendar Days

• 07-ADM-01 Temporary Assistance Procedures: Elimination of Quarterly Reporting System (QRS) Requirements and Welfare-To-Work Procedures: Documenting Hours of Paid Employment

INFs

• 07-INF-16 Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2008 - SSI Benefit Levels Chart

• 07-INF-15 LDSS-4579: "Alien Eligibility Desk Aid" (Revised 10/07)

• 07-INF-14 Child Only Questions and Answers

• 07-INF-13 Introducing the Electronic Benefit Transfer (EBT) Cardholder Account Overview Guide

• 07-INF-12 Office of Temporary and Disability Assistance (OTDA) Restructuring

• 07-INF-11 Office of Alcoholism and Substance Abuse Services (OASAS) Tobacco-Free Prevention and Treatment Programs

• 07-INF-10 Automated Case Closing of Computer Match Hits (Auto Close)

• 07-INF-09 LDSS-4905: Domestic Violence Information for All Temporary Assistance Applicants (previously known as the "Hand-Out to All Applicants for Welfare" LDSS-4594, 4594-NYC, 4594-S, 4594-S-NYC: "Notification of Decision on a Waiver" LDSS-4595, 4595-NYC, 4595-S, 4595-S-NYC: "Notification of Decision on a Continuation of Waiver")

• 07-INF-08 Lottery Intercept Reporting to Local Districts

• 07-INF-06 Revisions to the LDSS-4148A - What You Should Know About Your Rights and Responsibilities (When Applying For or Receiving Social Services)

- 07-INF-05 Revision to LDSS-4530: Assignment of Wages, Salary, Commissions or Compensation For Services
- 07-INF-04 Revisions to 22 Mandatory Client Notices
- 07-INF-03 Recovery/Recoupment Due to Fleeing Felon and Probation/Parole Violator Status
- 07-INF-02 Revisions to “Action Taken On Your Request For Assistance To Meet An Immediate Need or A Special Allowance” (LDSS-4002)
- 07-INF-01 Social Security Numbers for Aliens without United States Citizenship and Immigration Services (USCIS) Work Authorization
- LCMs
  - 07-LCM-16 Financial Management Procedures for Social Security Administration Representative Payees - Revised
  - 07-LCM-15 Federal Requirements for Work Participation Documentation and Reporting
  - 07-LCM-14 Food Stamp Bonus Award Allocation
  - 07-LCM-13 2008-2009 Temporary Assistance and Food Stamp Employment Plan
  - 07-LCM-12 Food Stamp Employment and Training Allocations – FFY 2007
  - 07-LCM-11 2007-2008 Home Energy Assistance Program (HEAP) – Client Notice System (CNS) Early Mail-Out
  - 07-LDM-10 Food Stamp Management Evaluation Procedures
  - 07-LDM-09 Availability of Funds to Provide Services to Safety Net Assistance Recipients (SNAP – Safety Net Assistance Project)
  - 07-LCM-08 e-HEAP Electronic Workbook and e-File
  - 07-LCM-07 Funding for Intensive Case Services for Noncompliant Families
  - 07-LCM-06 Funding Available for Community Solutions for Transportation (CST)
  - 07-LCM-05 Local Administration Fund Allocations 2007-2008
  - 07-LCM-04 SDX – SSI Individual Status Screen on WMS
  - 07-LCM-03 Local District Emergency Closings
  - 07-LCM-02 Submission of TANF Special Project Claims/FFFS Plans
  - 07-LCM-01 Child Support Incentives - Federal Fiscal Year 2005 GIS Messages
- 12/18/07 07TA/DC022 NYSNIP Standard Benefit Amount Adjustments
- 12/14/07 07TA/DC021 Working Families Food Stamp Initiative Conference Informational Calls – December 20, 2007
- 12/14/07 07TA/DC020 Categorical Eligibility for Food Stamps
- 12/05/07 07TA/DC019 Food Stamp Program Group Home Standard Benefits (GHSB) Adjustments
- 11/29/07 07TA/DC018 Meeting Energy Emergencies
- 11/16/07 07TA/DC017 Food Stamp Bonus Award Allocation
- 11/15/07 07TA/DC016 Distribution of “Child Care Letter” Lists
- UPSTATE ONLY
- 10/30/07 07TA/DC015 “In Lieu of TA Child Care” Dear Parent Letter
- 10/17/07 07TA/DC014 Conference Calls regarding implementation issues related to 07 ADM-06 Doe v. Doar - Unfavorable Appellate Court Decision on the Proration Policy transmitted in 04 ADM-05 “Temporary Assistance and Non-Temporary Assistance Mixed Households, Budgeting when the Family includes an SSI Member” (UPSTATE ONLY)
- 09/27/07 07TA/DC012 Use of the “Financial Statement” (LDSS-3596) for Utility Arrearage Assistance and the Updated 2007-08 Food/Non-Food Guidelines
- 09/14/07 07TA/DC011 Doe v. Doar: Court Decision Invalidates Policy in 18 NYCRR 352.2(b) and 04 ADM-5 “Temporary Assistance and Non-Temporary Assistance Mixed Households-Budgeting When Family Includes an SSI Member”
- 08/27/07 07TA/DC010 Interim Assistance Reimbursement (IAR) for More than One Social Services District

- 08/21/07 07TA/DC009 Substance Abuse Treatment for Adolescents - Conversion of Some Facilities that Treat Adolescents from Congregate Care Level II to Medical Facilities Under Residential Rehabilitation Services for Youth (RRSY)
- 08/14/07 07TA/DC008 Updated-Food Stamp Standards for October 1, 2007 (UPSTATE ONLY)
- 08/14/07 07TA/DC008 Updated-Food Stamp Standards for October 1, 2007 (NYC ONLY)
- 08/07/07 07TA/DC007 Federal Minimum Wage Increase and Food Stamp Exemption
- 08/01/07 07TA/DC006 Reporting Excused Absences from Countable Unpaid Work Activities as Hours of Participation for Households with Dependent Children
- 06/06/07 07TA/DC005 Delayed Mailing of LDSS-4310 Periodic Reports to Six-Month Reporting Food Stamp Households
- 03/30/07 07TA/DC004 2007 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)
- 03/20/07 07TA/DC003 200% of Poverty Income Standards Chart June 1, 2007 through May 31, 2008
- 03/01/07 07TA/DC002 Client Satisfaction Survey
- 02/20/07 07TA/DC001 Permanently Residing Under the Color of Law (PRUCOL)
- DCLs Child Support
  - 06/29/2007 MEDX Appellate Court Decision
  - 06/01/2007 Release of Information to a Requesting Party
  - 05/09/2007 Retroactive Modification of Support and Crediting of Overpayments
- OAH PROCEDURES TRANSMITTALS
- 07-03a Hearing Room Display Signs and Instructions Attachment
- 07-03 Hearing Room Display Signs and Instructions
- 2006
- ADMs
  - 06-ADM-15 School Attendance of Homeless Children - Revised
  - 06-ADM-14 Electronic Benefit Transfer (EBT) Customer Service Automated Response Unit (ARU) Personal Identification Number (PIN) Selection Restriction
  - 06-ADM-13 National Directory of New Hires (NDNH) Computer Match
  - 06-ADM-12-T Noncustodial Parent New York State Earned Income Tax Credit (NCP NYS EIC) - Procedures
  - 06-ADM-10 Temporary Assistance (TA) Mail-in Recertification Process Revised
  - 06-ADM-09 Velazquez Cases – Special Instructions Part 3
  - 06-ADM-08 2006-07 Combined TANF Allocation
  - 06-ADM-07 District of Fiscal Responsibility for Homeless Placements Out of District Revised
  - 06-ADM-06 Coordination of Temporary Assistance Employment and Eligibility Requirements for Individuals Who Are Required to Apply for SSI
  - 06-ADM-05 Providing Access to Temporary Assistance Programs for Persons with Disabilities and/or Limited English Proficiency (LEP) Revised
  - 06-ADM-02 Temporary Assistance: Income Eligibility Verification System (IEVS) 1099 Processing
  - 06-ADM-01 Lifeline Telephone Service
- INFs
  - 06-INF-34 Domestic Violence Residential Programs – Payment Issues and District of Fiscal Responsibility (DFR)
  - 06-INF-32 Digest of Laws of 2006 Relating to Programs of the Office of Temporary and Disability Assistance
  - 06-INF-30 New Desk Guide – LDSS-4888: “School Attendance Desk Guide” (7/06)
  - 06-INF-29 Revisions to 12 Mandatory Client Notices

- 06-INF-28 Revised 9/06 version of the LDSS-4778: "Calculations of Total Overpayment Amount"
- 06-INF-27 Revision of the LDSS-4731: "District of Fiscal Responsibility (DFR) Desk Guide" (Rev. 7/06)
  - 06-INF-26 Investigative Unit Operations Plan
  - 06-INF-25 Consolidated Shelter Arrears Policy and Emergency Safety Net Assistance Shelter Arrears Repayment Agreement - Revised
  - 06-INF-24 Contract with TALX Corporation for Employment and Income Verification Services via the "Work Number" and Local District Contact Information Request for the TALX Corporation and the National Directory of New Hires computer match
  - 06-INF-22 Clarification of DFR Procedures for Parolees
  - 06-INF-21 Temporary Assistance Questions and Answers
  - 06-INF-20 Clarification of the Treasury Offset Program (TOP) Collection Process
- 06-INF-19 Medicare Part D Prescription Drug Plan and End of the Medicare-Approved Prescription Drug Discount Card Program Deduction
  - 06-INF-18 LDSS-4884: Temporary Assistance Energy Emergencies Comparison Table
  - 06-INF-17 LDSS-4863 Medical Information Release Form
  - 06-INF-16 Program Integrity Questions and Answers
  - 06-INF-15 Revisions to the LDSS-3174 Recertification Form for Temporary Assistance, Medical Assistance, Medicare Savings Program and Food Stamp Benefits and Pub-1313 How to Complete the LDSS-3174
  - 06-INF-14 Battered Aliens Eligibility for Benefits Revised
  - 06-INF-12 Clarification of Policy Regarding Verification of School Attendance Revised
  - 06-INF-11 Family Violence Option Policy Clarifications
  - 06-INF-10 Computer Matching Clarification for Food Stamps
  - 06-INF-09 Revisions for the LDSS-3151: Food Stamp Change Report form (Rev. 1/06)
  - 06-INF-07 Changes in Expungement Procedures
  - 06-INF-06 State Tax Refund Offset Program (STROP): Watts v. Wing Settlement Terms
  - 06-INF-05 Welfare-To-Work Regulatory Citation Changes
  - 06-INF-04 HEAP 2006-2007 Needs Assessment Public Hearings
  - 06-INF-03 Welfare-To-Work Employment Forms
  - 06-INF-02 Revision to PUB-4786 The Earned Income Tax Credit LCMs
  - 06-LCM-13 OTDA Contract with Medical Providers for Consultative Medical and Psychological Examinations and Intelligence Assessments
  - 06-LCM-12 Long Term Care Point of Entry Program
  - 06-LCM-11 Funding for Intensive Case Services for Noncompliant Families
    - 06-LCM-09 Claiming Process for Certain Two-Parent Families
    - 06-LCM-08 Food Stamp Management Evaluation Procedures
    - 06-LCM-07 Claiming of Food Stamp Program (FSP) administrative funds for the medical screening of Food Stamp Employment and Training (FSE&T) participants to establish exemption from program rule requirements.
  - 06-LCM-06 Additional TANF Funding to Support State-Administered Programs and Contracts
    - 06-LCM-05 Imaging and Enterprise Document Repository (I/EDR) Services and Pricing Information
    - 06-LCM-04 Katrina Claiming for Non-Assistance Program Expenditures
    - 06-LCM-03 2006-07 Home Energy Assistance Program
    - 06-LCM-02 Allocation for the 2006-07 Local Administration Fund
    - 06-LCM-01 Submission of TANF Special Project Claims GIS Messages
- 12/21/06 06TA/DC043 Citizens Energy Oil Heat Program (UPSTATE ONLY)
- 12/19/06 06TA/DC042 Minimum Wage Increase and Work Hours
- 11/24/06 06TA/DC041 NYSNIP Standard Benefit Amount Adjustments
- 11/22/06 06TA/DC040 Upcoming Telephone Conference Calls to Discuss Child Support Desk Review Process for Excess Support & Pass-through Payments
- 11/20/06 06TA/DC039 Group Home Standardized Benefits (GHSB) Adjustments
- 10/30/06 06TA/DC038 TA Grant Diversion Participants Not Eligible for TBA FS
- 10/26/06 06TA/DC037 1099 Computer Matching for TANF Recipients
- 10/18/06 06TA/DC036 Hours of Participation in Work Activities Report for Safety-Net Assistance (SNA) Cases without Dependent Children
- 10/10/06 06TA/DC035 Meeting Energy Emergencies
- 09/21/06 06TA/DC034 Non-Assistance Payment Types for Authorization of Temporary Assistance (TA) Emergency or Immediate Needs (UPSTATE ONLY)
- 09/05/06 06TA/DC033 Use of the "Financial Statement" (LDSS-3596) for Utility Arrearage Assistance and the Updated 2006-07 Food/Non-Food Guidelines
- 08/18/06 06TA/DC032 UPST Updated - Food Stamp Standards for October 1, 2006 (UPSTATE ONLY)
- 08/18/06 06TA/DC032 NYC Updated - Food Stamp Standards for October 1, 2006 (NYC ONLY)
- 07/25/06 06TA/DC030 Close Out of DFSP in Four Counties (Broome, Delaware, Montgomery, Tioga) (UPSTATE ONLY)
- 07/21/06 06TA/DC029 Extension of DFSP in Four Counties (Broome, Delaware, Montgomery, Tioga) (UPSTATE ONLY)
- 07/17/06 06TA/DC028 Issuing Supplemental Disaster FS Benefits to Current Food Stamp Recipients Affected by the Disaster (UPSTATE ONLY)
- 07/14/06 06TA/DC027 Extension of the Disaster Food Stamp Benefit Program (UPSTATE ONLY)
- 07/14/06 06TA/DC026 Toll-Free Number for Hearing Matters Related to the Flood of 2006 (UPSTATE ONLY)
- 07/11/06 06TA/DC025 Disaster Food Stamp Benefit Program and TA Emergency Benefits Follow-up GIS Message (UPSTATE ONLY)
- 07/10/06 06TA/DC024 Edit Change to Unearned Income Source Code 06 (Child Support Payments) and Unearned Income Source Code 02 (Alimony/Spousal Support Non-Arrears) (UPSTATE ONLY)
- 07/10/06 06TA/DC023 Camp Fees
- 07/07/06 06TA/DC022 Implementation of Disaster Food Stamp Program and Clarification of Emergency Assistance Programs; Information on Temporary Assistance Programs and HEAP in Relation to Flood Relief (UPSTATE ONLY)
- 07/07/06 06TA/DC021 WINR 4402 - Excess Child Support Exception Report - New Exceptions and Necessary Action (UPSTATE ONLY)
- 07/04/06 06TA/DC020 Emergency Benefit Issuance to Flooding Victims, July 4, 2006
- 06/29/06 06TA/DC019 WMS Availability on Fourth of July, 2006
- 06/29/06 06TA/DC018 Emergency Food Replacement
- 05/31/06 06TA/DC017 Problem with recent NYSNIP 24-Month Interim Report Mailing
- 05/25/06 06TA/DC016 Legislative Changes to Temporary Assistance Employment Requirements
- 05/12/06 06TA/DC015 NYSNIP Upstate 24 Month Interim Report (LDSS-4836 and 4836SP)
- 05/11/06 06TA/DC014 NYSNIP 24 Month Interim Reporting
- 04/07/06 06TA/DC013 Temporary Assistance: Income Eligibility Verification System (IEVS) 1099 Processing Contact List (UPSTATE ONLY)



04/03/06 06TA/DC012 New York State Nutrition Improvement Program (NYSNIP) Benefit Levels

03/28/06 06TA/DC011 Food Stamp Disaster Plan Local Contacts

03/23/06 06TA/DC010 Food Stamp Policy Reminder Authorized Reps are Chosen at HH Discretion

03/10/06 06TA/DC009 Delayed Delivery of Interim Assistance Reimbursement (IAR) Checks

03/07/06 06TA/DC008 WMS Coding for Evacuees of Hurricane Katrina

02/22/06 06TA/DC007 200% of Poverty Income Standards Chart - June 1, 2006 through May 31, 2007

02/10/06 06TA/DC006 Reauthorization of Temporary Assistance for Needy Families Program

02/10/06 06TA/DC005 2006 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

02/01/06 06TA/DC004 Food Stamp Budgeting Reminder: Increased Standard Utility Allowances

01/30/06 06TA/DC003 Group Home Standardized Benefits (GHSB) Adjustments (NYC ONLY)

01/12/06 06TA/DC002 Food Stamp Budgeting; Updated Food Stamp Medical Mileage Deduction

01/05/06 06TA/DC001 Group Home Standardized Benefits (GHSB) Adjustments (UPSTATE ONLY)

DCLs (Child Support)

- 08/31/2006 Passport Denial Instructions
- 08/31/2006 Passport Denial

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- 05-ADM-16 Temporary Assistance Case Number Reuse
- 05-ADM-15 Food Stamp Claims and Collection Processes
- 05-ADM-14 Food Stamp Budgeting: VISTA Payments and Medical Mileage Expenses
- 05-ADM-13 Revised LDSS-3938: "Food Stamp Application Expedited Processing Summary Sheet"
- 05-ADM-12 Reporting of Room and Board Arrangements
- 05-ADM-11 Flexible Fund for Family Services
- 05-ADM-10 Velazquez Cases – Special Instructions Part 2
- 05-ADM-08 Front End Detection System (FEDS) Policy
- 05-ADM-06 Temporary Assistance (TA) and Medicaid (MA) Financial Institution Recipient Match (FIRM): Implications for TA, MA, and Food Stamps (FS)
- 05-ADM-04 Velazquez Cases – Special Instructions Parts 1 and 2
- 05-ADM-03 Establishing the Standard of Need and Budgeting Income for Persons Not Residing in Their Own Homes (18 NYCRR 352.9)
- 05-ADM-02 Section 8 Voucher: Change to the Temporary Assistance (TA) Budgeting for Some Section 8 Voucher Cases

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- 05-INF-26 Notification of Local Districts Concerning Release of Sex Offenders
- 05-INF-25 Revised Hurricane Katrina Questions and Answers
- 05-INF-24 TA Policy: Non-parent Caregiver Cases and Temporary Assistance
- 05-INF-23 9/05 Revisions of LDSS-4682, LDSS-4682 NYC, LDSS-4799, LDSS-4799 NYC, LDSS-4827 and LDSS-4827 NYC
- 05-INF-22 SSA COLA for January 2006-SSI Benefit Levels Chart
- 05-INF-21 Revision to LDSS-3814: "Temporary Assistance Additional Allowances and Other Help" flyer
- 05-INF-20 Digest of Laws 2005 Relating to Programs of the Office of Temporary and Disability Assistance
- 05-INF-19 Hurricane Katrina Evacuee Questions and Answers
- 05-INF-18 Food Stamp Program Questions and Answers: Expedited FS Application Processing, IPVS, NYSNIP, TOP/CAMS

- 05-INF-17 Temporary Assistance (TA) Budgeting: Volunteers in Service to America (VISTA) Payments
- 05-INF-16 8/05 Revision of LDSS-2642: "Documentation Requirements"
- 05-INF-15 Revisions to Mandatory Client Notices
- 05-INF-14 Revision of LDSS-4826: Food Stamp Benefits Application/Recertification and LDSS-4826A: How to Complete the Food Stamp Benefits Application/Recertification
- 05-INF-13 Revision to Food Stamp Benefits ABEL Budget Narratives (LDSS-3959, LDSS-3960 and LDSS-3961)
- 05-INF-11 Revision of Mandatory Client Notice: Repayment of Interim Assistance (LDSS-2425)
- 05-INF-10 Temporary Assistance Policy: Questions and Answers from the Spring 2004 Regional Meetings
- 05-INF-09 New Statewide "Common Application", LDSS – 2921 Statewide (Rev. 1/05) New Statewide "How to Complete" Publication, PUB – 1301 Statewide (Rev. 1/05)
- 05-INF-08 Revisions to PUB-4842: "Interpreter Services Poster" and PUB-4843: Interpreter Services Desk Guide
- 05-INF-07 State Tax Refund Offset Program (STROP): Watts vs. Wing – Update on Litigation and Request for LDSS Contact Person(s)
- 05-INF-04 Reinstatement of LDSS-3666: "TA/FS Documentation/Verification Desk Guide" (1/05)
- 05-INF-03 Puerto Rico EBT Interoperability Policy
- 05-INF-02 Documentation Receipt – Temporary Assistance, Food Stamp Benefits, Medicaid and or Child Health Plus A LCMs
- 05-LCM-13 Funding Availability for the Youth Engagement Services Program
- 05-LCM-12 Local District Emergency Closings
- 05-LCM-11 Case Management Services for Safety Net Recipients
- 05-LCM-10 HEAP Budget Calculator Application (HBC)
- 05-LCM-09 Policy Regarding the Supervisory Signature of LDSS-3209 Authorization
- 05-LCM-08 (Revised) Claiming Child Support Collections Refunded to Velasquez Case Members
- 05-LCM-06 Allocation for the 2005-06 Local Administrative Fund
- 05-LCM-05 Submission of TANF Special Project Claims
- 05-LCM-04 Treasury Offset Program
- 05-LCM-03 Submission of RF Certifications
- 05-LCM-01 TANF Calendar Year 2003 Projects/Allocations GIS Messages

10/06/05 05TA/DC040 NYSNIP Shelter Threshold Increase

09/14/05 05TA/DC031 Updated Food Stamp Instructions for Evacuees from Hurricane Katrina (NYC HRA Version)

09/14/05 05TA/DC031 Updated Food Stamp Instructions for Evacuees from Hurricane Katrina (Upstate Version)

09/08/05 05TA/DC028 Assistance for Displaced Citizens from Hurricane Katrina

09/02/05 05TA/DC027 Refugees from Hurricane Katrina

08/15/05 05TA/DC025 Updated Food Stamp Standards for October 1, 2005 (UPSTATE)

08/15/05 05TA/DC025 Updated - Food Stamp Standards for October 1, 2005 (NYC)

08/12/05 05TA/DC024 TA and/or FS Authorization Periods Limited to Six Months

04/21/05 05TA/DC016 Budgeting of Food Stamp Benefits for Group Home Residents

03/08/05 05TA/DC009 NYSNIP Non-Redeemer Letter-Round Two

03/02/05 05TA/DC008 FS Standard Utility Allowances for Heating/Cooling Expenses

02/15/05 05TA/DC006 Food Stamp Exclusion of Child Support Payments from Income

02/09/05 05TA/DC004 Exclusion of Disaster Relief Earnings



- 02/02/05 05TA/DC003 NYSNIP Non-Redeemer Reminder GIS
- 01/28/05 05TA/DC002 Exclusion of Military Combat Pay DCLs (Child Support)
- 11/29/2005 Model Bankruptcy Protocol
  - 06/10/2005 Undistributed Collections and Coding
  - 06/10/2005 Undistributed Collection Categories and Coding for 44 SPEC Field
  - 03/10/2005 Medical Execution
- OAH PROCEDURES TRANSMITTALS
- 05-31 Varshavsky Remand Procedure 2
- 05-26a Attachment Referral Guide
- 05-03 Reminder to Agencies on Communications with Represented Clients/Appellants
- 2004
- ADMs
- 2004 ADM-08 Expansion of Eligibility of Alien Victims of Severe Forms of Trafficking in Persons
  - 2004 ADM-07 Food Stamp Medical Deduction for Medicare Prescription Drug Discount Cards
  - 2004 ADM-06 Treatment of Full-Time Earnings of Students Under Temporary Assistance (TA) Programs
  - 2004 ADM-04 Refugee Cash and Medical Assistance Programs (RCA & RMA) Revised December 8, 2004
  - 2004 ADM-02 Changes in Food Stamp Program Change Reporting Rules
  - 2004 ADM-01 Establishing and Collecting Food Stamp Overissuance Claims
- INFs
- 2004 INF-26 Revisions to Manual Client Notices
  - 2004 INF-25 Introduction of a Food Stamp Six-Month Reporting Desk Guide
  - 2004 INF-24 Digest of Laws of 2004 Relating to Programs of the Office of Temporary and Disability Assistance
  - 2004 INF-23 Revision of LDSS-4398: "WMS Non-Services Code Cards" (November 2004 Update)
  - 2004 INF-22 SSA COLA for January 2005 - SSI and Food Stamp Charts
  - 2004 INF-21 Revision of the LDSS-4403: "Determination of Eligibility For Emergency Assistance to Families (EAF)" (7/04 Revision)
  - 2004 INF-20 Temporary Assistance Policy: Computer Matching Clarification
  - 2004 INF-19 Offer of a Job as an Available Resource
  - 2004 INF-18 Local Department of Social Services District of Fiscal Responsibility Contacts Found on the OTDA Intranet Site and CentraPort
  - 2004 INF-16 Electronic Benefit Transfer (EBT) Voluntary Repayment of Overpayments
  - 2004 INF-15 Availability of the Revised 2/04 Version of the 9 Other Than English Languages LDSS-3151: "Food Stamp Change Report Form"
  - 2004 INF-14 Revision of the Mandated Food Stamp Benefits Civil Rights Complaint Procedure Poster (LDSS-8036)
  - 2004-INF-13 Revisions to the Systems Generated "Periodic Report" (LDSS-4310) and the Vendor Printed "Follow-Up to the Periodic Report" (LDSS-4310A)
  - 2004 INF-12 Temporary Assistance Questions and Answers Revised July 26, 2004
  - 2004 INF-11 Revision of the LDSS-4826: "Food Stamp Benefits Application/Recertification" and LDSS-4826A: "How to Complete the Food Stamp Benefits Application/Recertification"
  - 2004 INF-09 Documentation Requirements Reminder Revised July 6, 2004
  - 2004 INF-07 Temporary Assistance Questions and Answers
  - 2004 INF-05 Disregard Certain Veterans Administration (VA) Payments Made to Biological Children of Women Vietnam Veterans and Extend to Safety Net Assistance Families the Disregard of VA Payments Made to Vietnam Veterans' Children with Spina Bifida
  - 2004 INF-03 Revision of the LDSS-4403: "Determination of Eligibility for Emergency Assistance to Families (EAF)" (7/03 Revision)
- LCMs
- 2004 LCM-13 New York State Nutrition Improvement Project
  - 2004 LCM-12 Appointment of OTDA Executive Deputy Commissioner and OTDA Deputy Commissioner for Division of Temporary Assistance
  - 2004 LCM-11 AFIS Plan / Exemptions for FS Finger Imaging
  - 2004 LCM-10 Program Integrity Performance Measures
  - 2004 LCM-08 Food Stamp Program Access Policy
  - 2004 LCM-07 Food Stamp Program Civil Rights Complaint Procedures Revised June 30, 2004
  - 2004 LCM-06 Front End Detection System (FEDS)
  - 2004 LCM-05 Food Stamp Management Evaluation Procedures
  - 2004 LCM-04 Approvals of Revisions to Local District's Cost Allocation Plan
  - 2004 LCM-03 Submission of TANF Special Project Claims
  - 2004 LCM-02 Procedures Regarding the Security of Common Benefit Identification Cards (CBICS) Returned Undeliverable By the United States Postal Service (USPS)
  - 2004 LCM-01 District of Fiscal Responsibility Procedures Reminder Revised February 19, 2004
- GIS Messages
- 12/29/04 04TA/DC031 FS Outreach via EPIC Letter regarding Medicare Rx Drug Discount Programs
- 12/21/04 04TA/DC030 Cash HEAP Payments to NYSNIP Participants
- 11/02/04 04TA/DC028 Implementation of Standardized Food Stamp Benefits for Group Home Residents
- 10/14/04 04TA/DC025 FS Policy on Medicare RX Drug Discount programs
- 08/17/04 04TA/DC019 Updated Food Stamp Standards for October 1, 2004
- 07/06/04 04TA/DC018 Follow-up to GIS 04TA/DC005: Shortening 24-Month FS Certification Periods
- 06/30/04 04TA/DC016 Periodic Reports for Non-TA Food Stamp Households
- 06/02/04 04TA/DC014 Food Stamp Disaster Plan: Local District Contacts
- 05/11/04 04TA/DC013 Clarification of FS TBA Policy reissued
- 05/11/04 04TA/DC011 Clarification of FS TBA Policy
- 03/18/04 04TA/DC005 Shortening 24-Month FS Certification Periods/New B80 CNS Code
- 02/18/04 04TA/DC002 SUA for Telephone
- DCLs (Child Support)
- 06/25/2004 Document Data Sheets
  - 05/03/2004 Letter: Calculation of Unreimbursed Assistance
  - 05/03/2004 Calculation/Payment of Support In Excess of Assistance Paid
  - 05/03/2004 Response to Specific Questions
  - 03/24/2004 Unreimbursed Assistance
  - 03/23/2004 Letter: Medical Execution Frequently Asked Questions
  - 03/23/2004 Medical Execution Frequently Asked Questions
  - 03/02/2004 Issuance of Medical Execution and Alternative Coverage
  - 02/26/2004 Medical Execution Cover
  - 02/26/2004 National Medical Execution Notice Revised
- 2003

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- 2003 ADM-11 Emergency Assistance to Families (EAF): Changes to Part 372 of 18 NYCRR 372 and to the TANF State Plan
  - 2003 ADM-10 TA Policy Changes: Lump Sum Set Asides and Resource Two-Year College Fund Exemption
  - 2003 ADM-09 Regulatory Changes: Temporary Assistance (TA) Budgeting: Percentage Earnings Disregard Extended to Pregnant SNA Women and Trust Fund Policy Clarification
  - 2003 ADM-08 Issuing Nonrecurring Temporary Assistance (TA) Emergency Payments and TANF Services Block Grant Payments on an Active Non-Temporary Assistance Food Stamp Case, an Active Medicaid Case or at the Time of a TA Application Denial
  - 2003 ADM-07 Temporary Assistance: New Shelter Allowances and Related Changes
  - 2003 ADM-03 New Food Stamp-Only Application Form
  - 2003 ADM-02 Desk Reference for DV Screening under the Family Violence Option
  - 2003 ADM-01 Eligibility of Alien Victims of Severe Form of Trafficking in Persons
- INFs
- 2003 INF-43 Food Stamp Deductions for Medical Expenses
  - 2003 INF-42 Elimination of Social Security Numbers from SSI, Interim Assistance Reimbursement, and Social Security Checks
  - 2003 INF-41 Revisions to Client Notices
  - 2003 INF-40 SSA COLA for January 2004 - SSI and Food Stamp Charts
  - 2003 INF-39 New Statewide “Common Application”, LDSS – 2921 Statewide (Rev. 7/03) and New Statewide “How to Complete” Publication, PUB – 1301 Statewide (Rev. 7/03)
  - 2003 INF-38 Availability of the Following Forms in Arabic and Chinese: LDSS-2921 Statewide “Common Application” form and PUB-1301 Statewide “How to Complete the Application” form
  - 2003 INF-37 Revision to Spanish Versions of the Client Information Books and the Introduction of Other Available Languages Including Russian, Arabic and Chinese
  - 2003 INF-36 Digest of Laws of 2003 Relating to Programs of the Office of Temporary and Disability Assistance
  - 2003 INF-35 Clarification of Temporary Assistance Diversion Payment Types for Families
  - 2003 INF-34 Limiting Emergency/Immediate Needs Grants Due to Frequent Applications for Recurring and Emergency Temporary Assistance
  - 2003 INF-33 Revision of the LDSS-3151: “Food Stamp Change Report Form” (Rev. 6/03)
  - 2003 INF-32 LDSS-4682: Notification of Overpayment of Public Assistance to a Former Recipient and Demand For Repayment (5/03) and LDSS-4682 NYC: Notification of Overpayment of Public Assistance to a Former Recipient and Demand For Repayment (NYC) (5/03)
  - 2003 INF-31 Revision of the LDSS-3558: “Food Stamp Separate Determination Input Form” (Rev. 5/03)
  - 2003 INF-29 Family Violence Option: Domestic Violence Liaison List
  - 2003 INF-27 Temporary Assistance Date of Eligibility
  - 2003 INF-26 Introduction of a Statewide LDSS-3174: “Recertification Form” and The Associated PUB-1313: “How to Complete” Publication
  - 2003 INF-25 Temporary Assistance Questions and Answers Revision: July 7, 2003 Original Release: June 19, 2003
  - 2003 INF-22 Temporary Assistance: Individuals in Residential Treatment Programs
  - 2003 INF-20 Availability of the Statewide Common Application and the How to Complete the Application in Spanish and Russian
  - 2003 INF-19 Expired or Lost Immigration Documents
  - 2003 INF-18 Obsolete Form DSS-2215: “Report of Claim/Benefit Restoration Determination” Food Stamp Program

- 2003 INF-17 Recoupment Procedures When Temporary Assistance (TA) Recipients Change Districts
  - 2003 INF-16 Revisions to the Food Stamp Benefits Budget Worksheets
  - 2003 INF-15 Compromise of Food Stamp Claims for Overissuance
  - 2003 INF-14 Food Stamp Program Eligibility for Aliens
  - 2003 INF-13 Revision to LDSS-4753: “Food Stamps – Request for Contact/Missed Interview”
  - 2003 INF-12 Revision of the “Food Stamp Household Composition Desk Guide” (LDSS-4314) (Rev. 1/03)
  - 2003 INF-11 Revisions to the LDSS-4791: Important Information About What Changes You Must Report for Food Stamp Benefits
  - 2003 INF-10 Food Stamp Program Questions and Answers: Application Processing, Six-Month Reporting, Transitional Benefits and Standard Utility Allowances
  - 2003 INF-07 State Sixty-Month Time Limit and Essential Persons
  - 2003 INF-05 Digest of Laws of 2002 Relating to Programs of the Office of Temporary and Disability Assistance
  - 2003 INF-04 Time Limit Counts and Family Assistance Payment Corrections
  - 2003-INF-02 Revision of the LDSS-3151 “Food Stamp Change Report Form” (Rev. 1/03)
  - 2003 INF-01 Earned Income Tax Credit and Other Tax Credits
- LCMs
- 2003 LCM-09 Refunds of Treasury Offset Program (TOP) Monies
  - 2003 LCM-08 Safeguarding of Personal Information for Food Stamp and Temporary Assistance Applicants and Recipients
  - 2003 LCM-07 Food Stamp Management Evaluation Procedures
  - 2003 LCM-05 Termination of Certain Food Stamp Overissuance Claims
  - 2003 LCM-03 Food Stamp Program Civil Rights Complaint Procedures
  - 2003 LCM-02 New Hires Match
  - 2003 LCM-01 Clothing Allowance Under the Emergency Assistance to Adults Program
- GIS Messages
- 09/25/03 03TA/DC028 24-month FS certification periods for households in which all adults are elderly/disabled
  - 08/15/03 03TA/DC022 Response to Power Outages
  - 08/13/03 03TA/DC021 IPV Notices for PA and FS now available on OTDA Forms Website
  - 08/11/03 03TA/DC020 Updated-Food Stamp Standards for October 1, 2003
  - 07/31/03 03TA/DC019 Subscribe to the Automated Subscriber System for Updates to the Temporary Assistance Source Book - TASB and the Food Stamp Source Book – FSSB
  - 07/28/03 03TA/DC018 Temporary Assistance (TA), Medicaid and Food Stamps (FS) Policy Regarding the Treatment of Federal Tax Variables
  - 07/14/03 03TA/DC017 Treasury Offset Program Fairness Letter
  - 07/02/03 03TA/DC015 Introduction of LDSS-4826B: “Interview/Verification Guide for the LDSS-4826: ‘Food Stamp Benefits Application’ ”
  - 02/06/03 03TA/DC003 Food Stamp Eligibility of Certain Aliens
  - 02/04/03 03TA/DC001 Food Stamp Disaster Plan Local Contacts DCLs (Child Support)
  - 10/21/2003 Private Collection Agencies
  - 07/11/2003 \$500 Arrears Cap
  - 06/27/2003 Intrastate Transfer of Cases
  - 06/10/2003 HIPAA Rules and Child Support
  - 05/01/2003 Department of Taxation and Finance: Kennedy Enhancements

- 01/28/2003 Cost Recovery of Legal Representation/International Child Support Cases
- OAH PROCEDURES TRANSMITTALS
- 03-22 Revised OTDA-4420 Notice of Aid Status
- 03-10 Revised OAH-457
- 2002
- ADMs
  - 2002 ADM-08 Repeal of NYCRR 352.31(B) “Claimant for Income Tax Exemption”
  - 2002 ADM-07 Food Stamp Program Reauthorization Changes
  - 2002 ADM-06 Change in the Food Stamp Vehicle Resource Policy
  - 2002 ADM-02 Meeting the Emergency/Immediate needs of Temporary Assistance (TA) Applicants/Recipients
  - 2002 ADM-01 Food Stamp Treatment of Individual Development Accounts
- INFs
  - 2002 INF-41 Revision to Food Stamp Benefits ABEL Budget Narratives (LDSS-3959, LDSS-3960 and LDSS-3961)
  - 2002 INF-39 Conditions and Costs Associated with Removals, Revision: December 10, 2002
  - 2002 INF-37 Temporary Assistance Periodic Reporting Regulation Filing
  - 2002 INF-36 Family Violence Option Questions and Answers
  - 2002 INF-35 SSA COLA for January 2003 – SSI and Food Stamp Charts
  - 2002 INF-34 Treatment of Crime Victims Compensation Benefits for Temporary Assistance (Correction of November 1st Release)
  - 2002 INF-33 Receipts for Recipients Who Drop Off Documentation
  - 2002 INF-31 Temporary Assistance Questions and Answers
  - 2002 INF-30 Revision of the “Food Stamp Household Composition Desk Guide” (LDSS-4314) (Rev. 6/02)
  - 2002 INF-29 Necessity of Accurate Social Security Numbers in the Welfare Management System
  - 2002 INF-28 Revision to Public Assistance ABEL Budget Narratives (LDSS-3951, LDSS-3952, LDSS-3953 and LDSS-3954)
  - 2002 INF-27 Domestic Violence: Frequently Asked Questions on Reimbursement, General and Programmatic Issues
  - 2002 INF-26 Revisions to the System Generated Periodic Report Form (LDSS-4310) and the Printed Follow-Ups to the Periodic Report Form (LDSS-4310A and LDSS-4310A NYC)
  - 2002 INF-25 Section 8 Certificate Shelter Type Codes
  - 2002 INF-22 Drug and Alcohol Frequently Asked Questions (FAQs), U.S. Department of Veteran Affairs (VA) Drug and Alcohol Treatment Programs; and OTDA Audit and Quality Control (A&QC) Drug and Alcohol Abuse Screening/Assessment Process Review/Findings
  - 2002 INF-21 Temporary Assistance Procedures; Certification Periods of TA Cases With Earned Income
  - 2002 INF-19 Revision of the LDSS-3708: “School Attendance Verification Form” (Rev. 4/01)
  - 2002 INF-18 Revision of the LDSS-3151: “Food Stamp Change Report Form”
  - 2002 INF-17 Food Stamp Questions and Answers
  - 2002 INF-15 Revised Issue July 23, 2002 (Original Issued June 27, 2002) Recurring Limited Temporary Assistance Energy Payments
  - 2002 INF-14 Charitable Choice Provision, Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193 (Reissued June 3, 2002)
  - 2002 INF-09 Certification/Recertification Checklist: Changes In Requirements
  - 2002 INF-06 Clarification of Retention Policy of Domestic Violence (DV) Screening Forms and Related Case Records
  - 2002 INF-03 Responses to Questions Raised at Time Limit/Tracking Conference Calls

- 2002 INF-02 Obsolete Certification Guide (DSS-3570)
- 2002 INF-01 Expansion of the Eligibility of Certain Minors for TANF Service Programs
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  - 2002 LCM-13 Extension of Food Stamp Administrative Cost Reductions
  - 2002 LCM-12 Work Experience Placements Reimbursement
  - 2002 LCM-11 Model HEAP Cooperative Agreement/Contract
  - 2002 LCM-10 Changes to Food Stamp Employment and Training Participant Expenditures
  - 2002 LCM-08 Claiming Federal Reimbursement for Reserved Accommodations
  - 2002 LCM-07 Americans with Disabilities Act (ADA) – Access to Local District Social Services Programs and Services and Activities
  - 2002 LCM-06 Food Stamp Management Evaluation Procedures
  - 2002 LCM-05 Submission of TANF Special Project Claims
  - 2002 LCM-02 Suspension of Local MOE Plans Submission
- GIS Messages
  - 09/17/02 02TADC024 Additional Food Stamp Resource Exclusion
  - 08/13/02 02TADC018 Updated - Food Stamp Standards for October 1, 2002
  - 04/10/02 02TADC009 Requirement to send the LDSS 4735 FS “Request for Contact/Notice of Missed Interview” when an initial FS eligibility interview is missed
  - 03/11/02 02TADC007 Revised Message: GIS 02 TA/DC0040
  - 3/01/02 02TADC004 Printing and Delivery of Manual Notices Referenced in 01 INF-17
  - 02/22/02 02TADC003 Request for Contact Language for Food Stamp 6 Month Reporters on Transitional Benefits
  - 01/08/02 02TADC001 Correction of LDSS 4753 - Request for Contact/Notice of Missed Interview
- DCLs (Child Support)
  - 12/16/2002 Modifications to Driver’s License Suspension Process
  - 08/29/2002 PIC Enforcement Procedures
  - 07/29/2002 Liens
  - 07/19/2002 Property Execution Against Jointly Owned Bank Accounts
  - 06/03/2002 Wage and Health Benefit Report
  - 05/21/2002 Drivers’ License Suspension Modifications
- OAH PROCEDURES TRANSMITTALS
- 02-01 EA and Foster Care Processing
- 2001
- ADMs
  - 2001 ADM-16 Transitional Benefit Alternative: Transitional Food Stamp Benefits for Family Assistance Leavers
  - 2001 ADM-14 Temporary Assistance Procedures: District Waiver Option of Quarterly Reporting Requirements (QRS) and Attachments
  - 2001 ADM-13 Temporary Assistance Budgeting: Initial and Increased Earnings of Recipients
  - 2001 ADM-12 Temporary Assistance Budgeting: The Treatment of Retroactive SSI and Social Security (RSDI) Corrective Payments
  - 2001 ADM-11 Safety Net Assistance Recoupment Rate Change
  - 2001 ADM-10 Revised Alcohol and Drug Abuse Screening and Referral Form, Revised Referral Protocols, Targeting TANF Applicants/Recipients
  - 2001 ADM-09 Six-Month Reporting Rules Food Stamp Households With Earned Income
  - 2001 ADM-08 Changes in Food Stamp Application and Recertification Procedures
  - 2001 ADM-07 Food Stamp and Temporary Assistance Treatment of Family Subsistence Supplemental Allowance Payments
  - 2001 ADM-06 Revised Letter of Notification (LON) and Letter of Intent (LOI) Approval Process for the Acquisition of EDP Equipment and/or Related Services



- 2001 ADM-04 Reporting Requirement for TANF Assistance: Reg. 351.1(b)(2)
- 2001 ADM-03 Errata: Exemptions to the State Sixty-Month Cash Time Limit/Evaluation for Safety Net Assistance
- 2001 ADM-03 Exemptions to the State Sixty-Month Cash Time Limit/Evaluation for Safety Net Assistance
- 2001 ADM-02 Expansion of Food Stamp Categorical Eligibility
- 2001 ADM-01 Continuation of Food Stamps on TA Case During Move
- INFs
  - 2001 INF-28 Digest of Laws of 2001 Relating to Programs of the Office of Temporary and Disability Assistance and Attachment
  - 2001 INF-27 SSA Cost of Living Adjustment for January 2002-SSI Benefit Levels Chart
  - 2001 INF-25 Treatment of Income/Resources of Participants in Operation Enduring Freedom
  - 2001 INF-24 Obsolete Form DSS-632: "Consent for Verification of Information"
  - 2001 INF-22 Revisions of LDSS-2921 Upstate Common Application and PUB-1301 Upstate "How to Complete" Publication
  - 2001 INF-21 Food Stamp Questions and Answers
  - 2001 INF-20 Providing Temporary Assistance to Individuals Sanctioned From Supplemental Security Income
  - 2001 INF-19 Responses to Questions Raised at Time Limit/Tracking Regional Meetings
  - 2001 INF-18 Clarification of Temporary Assistance Drug and Alcohol Employment Coding and Case Type Policy/Procedures
  - 2001 INF-17 Revisions to Manual Notices
  - 2001 INF-14 Converting EBT Food Stamp Benefits to EBT Cash When Recipients Move Out of State
  - 2001 INF-12 Temporary Assistance Sanctions: Budgeting for TA and FS, Treatment of Income for FS When the TA Case Closes, and Medicaid Implications
  - 2001 INF-11 Temporary Assistance Questions and Answers and Attachment
  - 2001 INF-10 Clarification of Food Stamp Denials When an Eligibility Interview is Missed
  - 2001 INF-09 Application Access for Non-Citizens: Temporary Assistance and Food Stamps
  - 2001 INF-08 Temporary Assistance (TA) and Food Stamps (FS) Policy: The Treatment of Supplemental Needs Trusts (SNTs) and Reverse Annuity Mortgage (RAM) Loans
  - 2001 INF-04 The 2001 New York State and Federal Earned Income Credit Campaign
  - 2001 INF-03 Clarification of Policy Relating to the Provision of the Emergency Shelter Allowance for Persons with AIDS or HIV-Related Illness
  - 2001 INF-02 Digest of Laws of 2000 Relating to Programs of the Office of Temporary and Disability Assistance
- LCMs
  - 2001 LCM-12 Availability of the Spanish Version of the "Youth Application for TANF Services" Form and Attachment
  - 2001 LCM-11 Reserved Accommodations
  - 2001 LCM-10 Availability of the "Youth Application for TANF Services" Form
  - 2001 LCM-08 Two Year Claiming Deadlines
  - 2001 LCM-06 IRS-1099 Match
  - 2001 LCM-05 EBT Fedwire Settlement Process
  - 2001 LCM-02 Special Claim Forms for TANF Services Plan Programs and TANF MOE
- GIS Messages
  - 10/23/01 TADC045 Exemption of Disaster Relief Payments Reminder
  - 09/21/01 TADC040 Exemption of Disaster Relief Payments

- 09/20/01 TADC039 New Food Stamps Poster
- 09/06/01 TADC034 Revised Manual Notices (01 INF-17)
- 08/20/01 TADC030 Updated-FS Standards for October 1, 2001
- 08/10/01 TADC029 Updated-Food Stamp Standards for October 1, 2001
- 08/07/01 TADC028 Quarterly Reporting Mailers
- 06/25/01 TADC024 June mail out to Non-TA/FS cases regarding the six-month reporting rule
- 06/20/01 TADC023 Treatment of Federal Tax Rebates
- 06/13/01 TADC021 Exclusion of Certain Retroactive SSI Payments as Lump Sums for FS
- 06/01/01 TADC018 Changes in the Food Stamps Vehicle Resource Exemption Policy
- 02/27/01 TADC009 Client Benefit Access
- 02/27/01 TADC008 FS Cash-Out Conversion
- 02/06/01 TADC005 FS Cashout Conversion
- 01/24/01 TADC004 Food Stamp Casefile Documentation
- 01/24/01 TADC003 Updated-Food Stamp SUA Standards for March 1, 2001
- DCLs (Child Support)
  - 03/06/2001 Re-Assignment of Permanently Assigned Arrears
  - 08/06/2001 Tax Off-Set Distribution Rules
  - 12/18/2001 Letter: Continuation of Services
  - 12/18/2001 Notice: Continuation of Services
- OAH PROCEDURES TRANSMITTALS
- 01-51 Upstate Emergency Hearing Procedures
- 01-45 Action Taken by NYC HRA MAP Due to Ineligibility for SSI
- 01-35 Appellant Identification Procedure
- 01-15 Procedure for Handling Non-hearing Inquiries and Complaints
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  - 2000 ADM-08 Errata: Electronic Benefit Transfer (EBT)
  - 2000 ADM-07 Non-Cash Safety Net Assistance (SNA) for Other Than Grantee (OTG) Cases
  - 2000 ADM-06 Initial Notice of Overpayment to Closed Cases (Revised)
  - 2000 ADM-01 TANF Funding Swap From Public Assistance to EAF Foster Care for the 1999-2000 State Fiscal Year
- INFs
  - 2000 INF-21 Policy Clarification on TANF Funded Assistance
  - 2000 INF-20 WMS Input Directions to Assure Accurate and Complete Federal Reports
  - 2000 INF-19 District of Fiscal Responsibility (DFR) Procedures
  - 2000 INF18 Clarification of Relationship Between the Standard Utility Allowance (SUA) and Receipt of HEAP
  - 2000 INF-16 Temporary Assistance (TA), Food Stamps (FS), and Medicaid (MA) Budgeting: Out-of-State Temporary Assistance Payment
  - 2000 INF-15 Temporary Assistance Questions and Answers
  - 2000 INF-14 Revised "Request for Voluntary Restricted Payments" Form (LDSS-4580) (Rev. 1/00)
  - 2000 INF-13 Alien Eligibility Desk ID Card (Rev. 4/00)
  - 2000 INF-11 Revision of "Food Stamp Separate Determination Input Form" (LDSS-3558)
  - 2000 INF-10 Welfare Reform Community-Based Organization Resource Guide (Pub No. 4663)
  - 2000 INF-08 Office of Temporary and Disability Assistance (OTDA) Census 2000 Campaign
  - 2000 INF-07 Interim Printings of LDSS-2921, LDSS-2921(NYC), LDSS-3174 and LDSS-3174(NYC)
  - 2000 INF-06 Verifying Relationship of the Caretaker Relative to the Child



- 2000 INF-05 LDSS-3343: “Quarterly Roster of Good Cause Claims”
- 2000 INF-02 Child Support Cooperation: Questions and Answers
- 2000 INF-01 Errata: Revision of Mandatory Client Notice: Repayment of Interim Assistance Notice (LDSS-2425)
- 2000 INF-01 Revision of Mandatory Client Notice “Repayment of Interim Assistance Notice” LDSS-2425
- LCMs
  - 2000 LCM-21 Temporary Assistance to Needy Families Maintenance of Effort (MOE) Local Initiative
  - 2000 LCM-20 TANF Services for Individuals and Families With Incomes Up To 200% of The Federal Poverty Level
  - 2000 LCM-18 Availability of Funds to Provide Services to Certain Safety Net Recipients (SNAP – Safety Net Assistance Project)
  - 2000 LCM-15 TANF and TANF Maintenance-of-Effort (MOE) Program Reporting
  - 2000 LCM-13 Proposals Requested for the Establishment of Transitional Opportunities Program (TOP) Offices/Units
  - 2000 LCM-11 Earned Income Credit (EIC)
  - 2000 LCM-10 Certain Employment Costs not Allowed as Food Stamp Employment and Training Expenditures
  - 2000 LCM-09 Domestic Violence Allocation Use
  - 2000 LCM-08 Separate State Maintenance-of-Effort (MOE) Program Reporting
  - 2000 LCM-07 Emergency Assistance to Families (EAF) for Juvenile Delinquents and Persons In Need of Supervision (JD/PINS)
  - 2000 LCM-04 2000 Census Promotion
  - 2000 LCM-01 Temporary Assistance to Needy Families Maintenance of Effort FY 2000
- DCLs (Child Support)
  - 05/16/2000 Policy: DNA Labs + Attachment
  - 03/02/2000 CSMS Modification: Distributions/PROWRA
  - 01/19/2000 CSMS Modification: Distributions/PROWRA
- OAH PROCEDURES TRANSMITTALS
  - 00-30 OTDA Initiative to Encourage and Monitor Compliance with FH Decisions
  - 00-05 Document Imaging Implementation (Instructions for Local Agencies)
  - 00-04 Document Imaging Implementation
  - 1999
- ADMs
  - 1999 ADM-08 Domestic Violence: Final TANF Regulations and the Family Violence Option
  - 1999 ADM-07 Errata: Time Limit Tracking and System Support
  - 1999 ADM-05 Cooperation with Child Support Enforcement for Temporary Assistance, Medicaid, Foster Care and Child Care Services Applicants and Recipients
  - 1999 ADM-04 Changes to Supervisory Review Approval for Temporary Assistance and Food Stamps
  - 1999 ADM-02 Alien Sponsorship – Deeming of Sponsor’s Income and Resources
  - 1999 ADM-01 Administration Issuance of Subpoenas in Child Support Cases
- INFs
  - 1999 INF-21 Child Assistance Program (CAP) Eligibility: Procedures for Employment Sanctions
  - 1999 INF-20 Digest of Laws of 1999 Relating to Programs of the Office of Temporary and Disability Assistance
  - 1999 INF-19 Drug/Alcohol Treatment: Option for In-District Care
  - 1999 INF-18 Non-Recoverability of Child Support Pass-Through Payments
  - 1999 INF-17 Reporting of Aliens Known to be Unlawfully in the United States
  - 1999 INF-16 HUD Welfare-to-Work Housing Vouchers – Potential Rent Subsidy Assistance for Some Temporary Assistance Families
  - 1999 INF-15 Emergency Assistance and Sanctioned Persons
  - 1999 INF-14 LDSS-4600: LDSS-4600 Drug and Alcohol Screening, Assessment, and Treatment Implications Desk Guide (6/98)
  - 1999 INF-13 Questions and Answers on Temporary Assistance Energy Policy
  - 1999 INF-11 Potential Eligibility for Food Stamps: Hmong and Other Highland Laotian Tribe Members
  - 1999 INF-10 Domestic Violence Waiver of Temporary Assistance Lien Requirements; Recovery of Temporary Assistance From Legally Responsible Batterers
  - 1999 INF-09 Temporary Assistance/Medicaid Eligibility: Expansion of Who Can Conduct Drug/Alcohol Assessments
  - 1999 INF-08 Food Stamp Program Application Requirements
  - 1999 INF-07 Amended State Version of Federal Form SS-5 “Application for a Social Security Card” (LDSS-4000)
  - 1999 INF-06 Medicaid Determinations When Public Assistance is Denied or Closed or the PA Application is Withdrawn
  - 1999 INF-05 Child Assistance Program (CAP): Questions and Answers
  - 1999 INF-04 Public Assistance Eligibility: Clarification of Drug and/or Alcohol Issues
  - 1999 INF-02 Revision to Budget Worksheet – Public Assistance (LDSS-548)
- LCMs
  - 1999 LCM-40 Information on Problem Gambling
  - 1999 LCM-39 TANF Funded Employment Program Contracts
  - 1999 LCM-37 Claiming Deadlines – TANF Programs
  - 1999 LCM-32 Updated District of Fiscal Responsibility and Drug/Alcohol Contacts
  - 1999 LCM-31 Y2K Readiness Planning
  - 1999 LCM-30 Claiming of JD/PINS for Youth in Voluntary Agencies and Foster Boarding Homes
  - 1999 LCM-29 TANF MOE Expenditures
  - 1999 LCM-28 Domestic Violence Allocations: July 1999-June 2001
  - 1999 LCM-26 Merit Incentive Awards Allocations
  - 1999 LCM-23 Implementation of the Systematic Alien Verification for Entitlements (SAVE) Program – Interim Process
  - 1999 LCM-22 Expansion of the Child Assistance Program (CAP)
  - 1999 LCM-20 Non-Cash Safety Net Assistance (SNA) Restriction Hierarchy and Available Restriction and Payment Options
  - 1999 LCM-19 Notice: LDSS-4647: “Important Information About Child Care”
  - 1999 LCM-17 TANF State Plan Forums
  - 1999 LCM-15 Allocations for TANF & SNA Drug & Alcohol Assessments and the Availability of Funds to Operate an Enhanced Drug/Alcohol Program for TANF Recipients
  - 1999 LCM-14 Temporary Assistance to Needy Families Maintenance of Effort
  - 1999 LCM-13 Local District Year 2000 Contingency Plan Survey
  - 1999 LCM-12 Survey of Social Welfare Examiner Job Tasks
  - 1999 LCM-11 Federal Tax Refund Offset Program (FTROP)
  - 1999 LCM-10 Year 2000 Compliance Requirements
  - 1999 LCM-09 Federal Tax Refund Offset Program (FTROP)
  - 1999 LCM-08 “New York State Touchstones/Kids Count Data Book”
  - 1999 LCM-04 Federal Tax Refund Offset Program (FTROP)
  - 1999 LCM-03 “Notice of Claim Settlement” (OTDA-591, 591-A & 907)
  - 1999 LCM-01 Food Stamp Program: Clarification of Definition of Disability
- OAH PROCEDURES TRANSMITTALS
  - 99-40 Hearing Right for Former Recipients when Challenging the Amount of a Claim for Overpayment of PA

99-13 Changes to the Outcome Reason Codes and the Decision Issuance Screen (PFHISS)

1998

ADMs

- 1998 ADM-14 Procedures for Cost of Living Adjustments (COLA) and One-Time Review and Adjustments for Child Support Orders

- 1998 ADM-12 Recovery of Overpayments: Modification of PA Threshold

- 1998 ADM-11 Authorization For Social Services Districts to Approve Adoption Subsidies

- 1998 ADM-09 Public Assistance Eligibility: Time Limit for Initial Interview

- 1998 ADM-06 Procedures for Establishing Paternity with Acknowledgments and

Administrative Orders for Genetic/DNA Tests

- 1998 ADM-05 Merit Incentive Awards for Children in Receipt of TANF Funded Public Assistance

- 1998 ADM-03 Errata: Domestic Violence: Family Violence Option Under the Welfare Reform Act of 1997

- 1998 ADM-03 Domestic Violence: Family Violence Option Under the Welfare Reform Act of 1997

- 1998 ADM-02 Change of Payee Policy and Procedure for Child Support

Enforcement

- 1998 ADM-01 Local Flexibility Incentive Pilot Programs

INFs

- 1998 INF-16 Obsolete Form: DSS-2502: “ADC-U Screening Checklist”

- 1998 INF-15 Deadline Extension for Local District Negotiated Performance Award Plans and Transmittal of Baseline Performance Data on Job Placements for 98-ADM-13

- 1998 INF-13 State Assumption of Local Districts’ Share of Supplemental Payments

- 1998 INF-12 Digest of Laws of 1998 Relating to Programs of the Office of Temporary and Disability Assistance

- 1998 INF-06 Child Assistance Program (CAP); Questions and Answers on Changes Due to the Welfare Reform Act of 1997

- 1998 INF-04 Consolidated Services Plan: 1998 Income Eligibility Standards

- 1998 INF-03 Food Stamp Program: Record Retention

- 1998 INF-02 Revised Request for Voluntary Restriction Form (DSS-4580 Rev. 12/97)

- 1998 INF-01 Annual Index of Administrative Directives and Informational Letters

LCMs

- 1998 LCM-46 “Notice of Claims Settlement” Claims Against Households Report” (DSS-3214)

- 1998 LCM-43 Automated Claiming System (ACS) Re-Hosting Project

- 1998 LCM-40 National Voter Registration Act (NVRA) Litigation

- 1998 LCM-39 Drug and Alcohol Services: Availability of Funds to Provide Enhanced Drug and Alcohol Services to Victims of Domestic Violence

- 1998 LCM-37 Expansion of the Child Assistance Program (CAP)

- 1998 LCM-34 Clarification of Fair Hearing and Special Hearings Processes

- 1998 LCM-30 Survey of Drug and Alcohol Assessment Costs

- 1998 LCM-29 1998 Multidisciplinary Team Building Request for Proposals Grant Selections

- 1998 LCM-28 Case Management Funding Application

- 1998 LCM-27 Homeless Information Reporting

- 1998 LCM-26 Informational Mailing to All Public Assistance Households (FA, CAP, SNA)

- 1998 LCM-25 Adult Care Facilities: Prohibition of Referrals to Certain Facilities

- 1998 LCM-23 FISCAL: Allocation of \$100,000,000 TANF Set-Aside for Family and Children’s Services (EAF Allocation)

- 1998 LCM-21 Food Stamp Earned Income Deduction

- 1998 LCM-19 Reimbursement Ceilings for Social Services for the Period October 1, 1997 Through September 30, 1998

- 1998 LCM-18 DSS-3803 “Monthly Report of Collections of Overpayments to Families with Dependent Children and Home Relief”

- 1998 LCM-17 Disability Advocacy Program (DAP) RFP

- 1998 LCM-15 Federal/State Tax Refund Offset Reports Federal/State Tax Refund Offset

- 1998 LCM-14 Availability of Funds to Operate an Enhanced Drug/Alcohol Services Program for Family Assistance Recipients

- 1998 LCM-11 Retroactive TANF Conversions Retroactive TANF Conversions

- 1998 LCM-09 Tax Refund Offset Process – 1998 General Instructions’

- 1998 LCM-07 Enhanced PA Earned Income Disregard (42%) Mailing

- 1998 LCM-06 Extension of Claiming for the Child Care and Development Block Grant Subsidy Program

- 1998 LCM-05 Deadlines for Submitting Claims to Close Out ADC (Including EAF and Administration), JOBS, At Risk and Transitional Child Care, as a Result of TANF

OAH PROCEDURES TRANSMITTALS

- 98-51 NYC Department of Homeless Services Shelter Placements for SNA Singles

- 98-17 Responsibility of Local Agencies to Provide Documents to Representatives

- 98-05 Krieger v. Perales Notification

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- 1997 ADM-25 Food Stamp Eligibility of Non-Citizens

- 1997 ADM-24 Child Assistance Program (CAP): Impact of the Welfare Reform Act of 1997

- 1997 ADM-23 Public Assistance (Family Assistance/Safety Net Assistance) Changes Resulting From The Welfare Reform Act of 1997

- 1997 ADM-20 Family Assistance Program (Welfare Reform Act of 1997)

- 1997 ADM-19 Reporting and Monitoring of the DSS-3214, Food Stamps Claims Against Household Report

- 1997 ADM-18 Student Grants and Supportive Services Budgeting (Williams vs. Dowling)

- 1997 ADM-17 Elimination of the Child Care Earned Income Disregard and the Implementation of Child Care Payments for Public Assistance Cases with Earned Income

- 1997 ADM-13 Procedure for Requesting Approval of Local Equivalent Forms

- 1997 ADM-11 Assessment Requirement for Recipients of Temporary Assistance for Needy Families (TANF)

- 1997 ADM-08 Re-categorization of ADC and CAP Cases as a Result of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)

- 1997 ADM-06 Immunization Information for PA Applicants and Recipients

- 1997 ADM-05 Option to Extend Certification Periods for Certain Non-Citizen Food Stamp Recipients

- 1997 ADM-03 Prohibition Against Concurrent Benefits

- 1997 ADM-01 Federal Cost-of-Living Adjustment in Social Security and Supplemental Security Income (SSI) Benefits and Impact of Department Programs

INFs

- 1997 INF-18 Digest of Laws of 1997 Relating to Social Services

- 1997 INF-17 DSS-4148D: Supplement to Client Information Books DSS-4148A, 4148B, and 4148C

- 1997 INF-16 Model Drug and/or Alcohol Assessment Form for Public Assistance
- 1997 INF-14 Obsolete Form: DSS-4232; “JOBS (Job Opportunities and Basic Skills Training Program)” Form
- 1997 INF-12 Revisions of the Quarterly Report (DSS-4310) and the Follow-Up to the Quarterly Report (DSS-4310A) and (DSS-4310A NYC)
- 1997 INF-09 Automated Finger Imaging System (AFIS) Policy Clarifications
- 1997 INF-07 Revision of DSS-3604: “Notification of ADC Change”
- 1997 INF-06 District of Fiscal Responsibility
- 1997 INF-05 Consolidated Services Plan: 1997 Income Eligibility Standards
- 1997 INF-04 Temporary Assistance to Needy Families (TANF) State Plan
- 1997 INF-01 Annual Index of Administrative Directives, Informational Letters and Manual Bulletins for 1996
- LCMs
  - 1997 LCM-68 Preventive Services: Reduction/Waiver of Maintenance of Effort (MOE) Penalty Amount
  - 1997 LCM-64 1997 Federal Family Violence Prevention and Services Act Grant
  - 1997 LCM-61 Expansion of the Child Assistance Program (CAP)
  - 1997 LCM-56 Recoupments, Screen 6 Changes and Attachment
  - 1997 LCM-52 Welfare Reform Act of 1997
  - 1997 LCM-51 Federal Changes in SSI Eligibility for Children
  - 1997 LCM-49 Local District Training CAP
  - 1997 LCM-44 Agency-Based Voter Registration (Motor Voter) Training Program
  - 1997 LCM-42 Local District Closings
  - 1997 LCM-38 Temporary Assistance to Needy Families (TANF) State Plan
  - 1997 LCM-37 SSN Validation
  - 1997 LCM-32 Notice to Certain Disabled Children Affected by Welfare Reform
  - 1997 LCM-31 Tax Refund Offset Program (FTROP)
  - 1997 LCM-23 Home and Community-Based Services Waiver for Persons with Traumatic Brain Injuries (HCBS/TBI Waiver): New Recipient Restriction/Exception Code for Waiver Participants
  - 1997 LCM-22 Revised Disability Criteria for Children
  - 1997 LCM-21 Food Stamp Eligibility for Non-Citizens Prior to April 1, 1997
  - 1997 LCM-20 Waiver of Food Stamp ABAWD Eligibility Requirements
  - 1997 LCM-07 Home and Community-Based Services Waiver for Persons with Traumatic Brain Injuries (HCBS/TBI Waiver): Authorization, Provision and Payment of Transportation
  - 1997 LCM-01 Tax Refund Offset Process – 1997 General Instructions
- OAH PROCEDURES TRANSMITTALS
  - 97-25 Requests from Local Agencies for Additional Copies of Decisions
  - 97-21 Administrative Disqualification Hearing (ADH) Reopen Procedures
  - 97-07 Local District Letter Request Notification (Letter Requests) 1996
- ADMs
  - 1996 ADM-08 OBRA’93 Provisions on Transferees and Trusts
  - 1996 ADM-05 Article VII Changes – 1995/96 State Budget
- INFs
  - 1996 INF-29 Digest of Laws of 1996 Relating to Social Services
  - 1996 INF-28 Questions and Answers from the Drug and Alcohol

Statewide Regional Meetings, the Introduction of Four New Forms That Will Assist Local Districts In Working With Their Client Population, and the Obsolescence of DSS-2355 and DSS-2356

- 1996 INF-26 Revisions to Applications (DSS-2921, DSS-2921NYC), Recertification Forms (DSS-3174, DSS-3174 NYC) and their “How to Complete” Publications (PUB-1301, PUB-1301 NYC, PUB-1313, PUB -1313 NYC)
- 1996 INF-21 Home and Community-Based Services Waiver for Persons with Traumatic Brain Injuries (HCBS/TBI Waiver)
- 1996 INF-19 Paper Reduction/Reports Distribution
- 1996 INF-16 Implementation of the Revised DSS-876: “Request For Forms or Publications” (Rev. 2/96)
- 1996 INF-12 Obsolete Form: DSS-4158: “Home Relief Notification of Job Readiness and The Right To Contest” (Rev. 8/93)
- 1996 INF-11 Temporary Assistance Forms Implemented, Revised or Made Obsolete in 1995
- 1996 INF-05 Revision of DSS-4231: “Option To End Your Sanction”
- 1996 INF-04 Blue Book Internet Project
- 1996 INF-01 Annual Index of Administrative Directives and Informational Letters for 1995
- LCMs
  - 1996 LCM-110 FY 1996/97 Maximum State Aid Rates (MSARs) For Foster Care Programs and SED Approved Residential Schools for the Period September 1, 1996 – June 30, 1997
  - 1996 LCM-108 Adult Care Facilities: Prohibition of Referrals to Certain Facilities
  - 1996 LCM-107 FY 1996/97 Maximum State Aid Rates (MSAR) for Foster Care Programs and In-State Approved Private Schools for the Period July 1, 1996-August 31, 1996
  - 1996 LCM-106 Competency-Based Training
  - 1996 LCM-105 1996/97 Committee on Special Education (CSE) Maintenance Rates for Approved Schools Located Out-of-State
  - 1996 LCM-104 Child and Adolescent Sexual Offense Medical Protocol
  - 1996 LCM-103 New Address and Telephone Numbers for State MA Disability Review Team
  - 1996 LCM-102 Claiming Instructions - \$50 Child Support Disregard
  - 1996 LCM-100 Annual Implementation Report of the Consolidated Services Plan
  - 1996 LCM-99 Supplemental Security Income (SSI) Cost of Living Adjustment for Family Type Home for Adult Residents
  - 1996 LCM-98 Notification of the Lack of Federal Funding for the Non-Federal Costs of ADC Type Refugees
  - 1996 LCM-87 National Association of Counties Teleconference “Counties and the New Welfare Law”
  - 1996 LCM-86 Federal Welfare Reform “Food Stamp Eligibility of Aliens”
  - 1996 LCM-85 Lottery Intercept Program
  - 1996 LCM-83 Food Stamp Impact of New Federal Welfare Law
  - 1996 LCM-76 State Assumption of Local Districts’ Share of Supplemental SSI Payments
  - 1996 LCM-75 Local District Training CAP
  - 1996 LCM-72 1995 Domestic Violence Annual Report
  - 1996 LCM-63 Revised Reimbursement Ceilings for Social Services for the Period October 1, 1995 through September 30, 1996
  - 1996 LCM-62 Food Stamp Error Rate for FFY 1995
  - 1996 LCM-59 1996-97 Domestic Violence State Aid Rates (DVSAR) for Domestic Violence Residential Programs in New York City
  - 1996 LCM-58 Update to Emergency Assistance to Families Claiming for JD/PINS
  - 1996 LCM-47 TASA Client Outcomes
  - 1996 CLM-45 Employees Separated from Employment Due to Domestic Violence



- 1996 LCM-29 Local District Clearances
- 1996 LCM-26 Department Report to Governor Pataki
- 1996 LCM-21 Authorizing EAF For Services Provided by Non-DSS Agencies
- 1996 LCM-17 DSS-3214 “Claims Against Households” Retention Amounts
- 1996 LCM-14 FS Error Rate/Sanction for FFY ‘94
- 1996 LCM-12 AFDC Error Rate/Sanction for FFY ‘94
- 1996 LCM-11 1996 Domestic Violence State Aid Rates (DVSAR) for Domestic Violence Residential Programs in New York State
- OAH PROCEDURES TRANSMITTALS
- 96-22 Provision of Aid Continuing for Food Stamp Recertification Issues
- 1995
- ADMs
- 1995 ADM-24 Home Visits for Public Assistance Eligibility and Continuing Eligibility
- 1995 ADM-20 Food Stamps: Stipulation and Order of Settlement in Huberman, et al. v. Espy, et al.
- 1995 ADM-15 Food Stamp Program Implications of the Mickey Leland Childhood Hunger Relief Act
- 1995 ADM-09 PA Budgeting: The Treatment of New York State Disability Benefits
- 1995 ADM-08 Food Stamps: Selection of Head of Household for Employment Purposes
- 1995 ADM-05 SSI Case Correction Procedure: Use of Form SSA-3911 (Cancels 79-ADM-72)
- 1995 ADM-04 Public Assistance and Medical Assistance Benefits for Infants Residing with their Incarcerated Mothers
- 1995 ADM-01 National Voter Registration Act
- INFs
- 1995 INF-46 Revision of Client Information Books
- 1995 INF-45 Digest of Laws of 1995 Relating to Social Services
- 1995 INF-41 Food Stamps: Clarification of Treatment of Earned Income Tax Credit (EITC) as a Resource and Introduction of EITC Desk Chart
- 1995 INF-40 Food Stamps Expedited Authorization Report (WINR 3195 Expedited Food Stamps)
- 1995 INF-39 Revision of “How to Apply for Food Stamps If You Are Also Applying For SSI/Are Getting SSI/Are Living In A Group Home...” Booklet (DSS-3035A)
- 1995 INF-35 Food Stamps: SSI or SSDI When Disability is Based on Drug Addition or Alcoholism
- 1995 INF-33 PA Budgeting: Self-Employment Income
- 1995 INF-31 Frequent Reapplications for Emergency Home Relief
- 1995 INF-30 Clarification of the Treatment of Americorps Awards
- 1995 INF-27 Federal OSHA Regulations on Blood Borne Pathogens
- 1995 INF-24 Revision of “Action Taken On Your Request For Assistance To Meet An Immediate Need Or A Special Allowance” (DSS-4002) (Rev. 9/94)
- 1995 INF-22 FS: Students on Meal Programs and Eligibility of Students Campus Housing
- 1995 INF-20 The Family Protection and Domestic Violence Intervention Act
- 1995 INF-19 Quarterly Reporting System (QRS) Questions and Answers
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- 1995 INF-05 Direct Shelter and Child Care Payments
- 1995 INF-04 Revision of “Determination of Eligibility For Emergency Assistance To Families (EAF)” (DSS-4403) (Rev. 10/94)
- 1995 INF-01 Annual Index of Administrative Directives, Informational Letters and Manual Bulletins for 1994

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- 1995 LCM-138 Emergency Assistance to Families Claiming for JD/PINS
- 1995 LCM-132 HR Requirements to Sign Agreement and Assignment Forms
- 1995 LCM-129 Reimbursement Ceilings for Social Services for the Period of October 1, 1995 through September 30, 1996
- 1995 LCM-128 Additional Office of Administrative Hearings Staff Chargeback
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- 1995 LCM-123 SFY 1995/96 Preventive Services MOE Amounts for Social Services Districts Spending Under the Family and Children’s Services Block Grant
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- 1995 LCM-104 Paper Reduction/Reports Survey
- 1995 LCM-94 Questions and Answers from the May 3, 1995 Teleconference on Changes to the Local District Claiming Schedules
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- 1995 LCM-78 Treatment of Student Grants When Determining the Need for Supportive Services
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- 1995 LCM-66 1995 Domestic Violence State Aid Rates (DVSAR) for Domestic Violence Residential Programs In New York State
- 1995 LCM-58 1994 Domestic Violence Annual Report
- 1995 LCM-54 Emergency Assistance to Families (EAF) for Division for Youth Placements
- 1995 LCM-42 Updated Information Concerning Velasquez v. Bane
- 1995 LCM-17 Food Stamp Computer Assisted Instruction (CAI)
- 1995 LCM-09 Interim Assistance Reimbursement for New Drug/Alcohol SSI Recipients
- 1995 LCM-07 Report of District Organization and Operation – Staffing Schedule (Form DSS-1023)
- 1995 LCM-03 National Voter Registration Act
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- 95-14 Phone Numbers to Request Fair Hearings
- 95-06 Transmittal of FH Decisions
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- 1994 ADM-15 Food Stamps: Expansion of Definition of Food Stamp Eligibles Who Reside in Certain Group Living Arrangements
- 1994 ADM-13 Deeming of Parental Income to SSI-Related Children
- 1994 ADM-11 Domestic Violence: Eligibility and Payment for Residential Services for Victims
- 1994 ADM-10 Budgeting of a Home Relief (HR) Case When a Legally Responsible Relative in Receipt of Supplemental Social Security Income (SSI) is in the Household (Rice vs. Perales)
- 1994 ADM-05 Writing Off Uncollectible Amounts from Closed Cases
- 1994 ADM-01 Interim Assistance Reimbursement (IAR) for Non-IV-E Child Welfare (CW) Benefits



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- 1994 INF-58 FS: Medical Deductions Clarification
- 1994 INF-54 Revision to ABEL Input Sheet (DSS-3570A)
- 1994 INF-46 Digest of Laws of 1994 Relating to Social Services
- 1994 INF-45 PA Budgeting and Case Category for Joint Custody Cases
- 1994 INF-44 Revision of Mandatory Client Notice “Repayment of Interim Assistance Notice” (DSS-2425)
- 1994 INF-43 Obsolescence of Food Stamp Client Notices DSS-4050, DSS-4051 and DSS-4052
- 1994 INF-40 Microenterprises and Public Assistance Recipients
- 1994 INF-39 Revision of DSS-4398: “WMS Non-Services Code Cards” (April 1994 Update) (Upstate Only)
- 1994 INF-38 Revision of “Shelter Verification” Form (DSS-3668)
- 1994 INF-37 Revision of “Life Insurance Information Request – Prudential and Metropolitan” Form (DSS-1410)
- 1994 INF-36 Revised “Programmatic Action Regulations Guide” DSS-4168
- 1994 INF-35 Obsolescence of the 7/91 (Brown) Upstate Version of the “Recertification For PA, MA, FS” (DSS-3174) and the 7/91 (Brown) Upstate Version of the “How To Complete...Recertification” (Pub. 1313)
- 1994 INF-34 Introduction of New Informational Book DSS-3035A to Accompany the DSS-3035/DSS-3035 NYC “Food Stamp Application for SSI Recipients and Group Living Residents”
- 1994 INF-32 Revision of “Determination of Eligibility for Emergency Assistance to Families (EAF)” (DSS-4403) (Rev. 5/94)
- 1994 INF-29 Food Stamps: Child and Adult Care Food Program Payments
- 1994 INF-27 Economic Security Forms Implemented, Revised or Made Obsolete in 1993
- 1994 INF-23 Food Stamps: Deduction for Recurring Medical Expenses
- 1994 INF-22 Obsolescence of “Right To Claim Good Cause For Refusal To Cooperate With Child Support Enforcement (Second Notice)” (DSS-4280)
- 1994 INF-16 Food Stamps Clarification of Effective Date of a Timely Adverse Action Notice
- 1994 INF-11 Intentional Program Violation (IPV) – Regional Meetings Questions and Answers
- 1994 INF-10 Food Stamps: Waiver of In-Office Interviews for Certain Applicants
- 1994 INF-09 Limitations on HR for New Residents – Standards of Payment Update
- 1994 INF-05 Revision of Public Assistance ABEL Budget Narrative (DSS-3951) (Rev. 11/93)
- 1994 INF-04 Revision of Food Stamp Application for SSI Recipients and Group Living Residents (DSS-3035) and (DSS-3035 NYC) (Rev. 9/93)
- 1994 INF-03 The 1994 Earned Income Credit Campaign
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- 1994 LCM-155 Reimbursement Ceilings for Social Services for the Period of October 1, 1994 through September 30, 1995
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- 1994 LCM-145 Tax Refund Offset Process – 1995 General Instructions
- 1994 LCM-133 Front End Detection System Teleconference Issues
- 1994 LCM-129 Food Stamp Data Analysis Report with Upstate Case Detail for 10/1/92 through 9/30/93
- 1994 LCM-119 AFDC Error Rate/Sanction for FFY ‘91
- 1994 LCM-106 Providing Local District Job Opportunities for Public Assistance Applicants/Recipients

- 1994 LCM-104 National Voter Registration Act
- 1994 LCM-91 Teleconference on Front End Detection System – September 30, 1994
- 1994 LCM-81 Velasquez Injunction Required Action with Respect to Poverty

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- 1994 LCM-70 1994 Domestic Violence State Aid Rates (DSVAR) for Domestic Violence Residential Programs in New York State
- 1994 LCM-54 Three Informational Brochures
- 1994 LCM-53 Implementation of Emergency Assistance to Families (EAF) in Child Welfare
- 1994 LCM-50 1993 Domestic Violence Annual Report
- 1994 LCM-41 Teenage Custodial Parents
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- 1994 LCM-05 RFI High Risk Report

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  - 1993 ADM-38 Public Assistance Category Clarification
  - 1993 ADM-35 Shelter Arrears Payments Above Shelter Maximums for Recipients of Aid to Dependent Children and Home Relief and Revised Method of Calculating Income Under Emergency Home Relief
  - 1993 ADM-34 Foster Care and Adoption Assistance: Eligibility Under Title IV-E, Emergency Assistance for Families (EAF), and the Supplemental Security Income Program (SSI)
  - 1993 ADM-33 Filing Unit: Adding Persons Reported or Found to Be in The Household
  - 1993 ADM-31 Filing Unit: Social Security Benefits Received by Children and Their Parents
  - 1993 ADM-26 Social Services District Implications of Chapter 713 of the Laws of 1981 (Home Energy Fair Practices Act)
  - 1993 ADM-24 Model Contract for Local Purchase of Residential Domestic Violence Services Agreements
  - 1993 ADM-21 Utilization of Veteran’s Benefits as a Resource
  - 1993 ADM-20 DSS-2642 Documentation Requirements
  - 1993 ADM-14 New Procedures for Eligibility Workers Regarding Inquiry of Third Party Resources
  - 1993 ADM-13 Public Assistance Alien Sponsor Deeming Modified by the Minino and Ruiz vs. Perales Decision
  - 1993 ADM-10 Public Assistance Consolidated Policy on Securing Housing
  - 1993-ADM-09 Quarterly Reporting System (QRS)
  - 1993 ADM-08 Disqualifications for Intentional Program Violations
  - 1993 ADM-05 Public Assistance Eligibility: Retroactive Payment Process (DeAllaume vs. Perales)
  - 1993 ADM-04 Furnishing of Social Security Numbers as a Condition of Public Assistance Household Eligibility
  - 1993 ADM-02 Public Housing: Changes to Shelter Allowances
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- 1993 INF-49 Digest of Laws of 1993 Relating to Social Services
  - 1993 INF-45 Revisions to Mandatory Client Notices
  - 1993 INF-42 Revision of Follow-Up to the Quarterly Reports (DSS-4310A and DSS-4310A NYC)
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  - 1993 INF-34 Department of Housing and Community Renewal (DHCR) Regulation on Security Agreements in Public Housing
  - 1993 INF-30 Social Security Enumeration
  - 1993 INF-29 Restaurant Allowances When Three Meals Are Provided

- 1993 INF-28 Revision to ABEL Input Sheet (DSS-3570A)
- 1993 INF-27 Revision of “Food Stamp Change Report Form” (DSS-3151) Rev. 3/93
- 1993 INF-26 Revision of Client Information Books: DSS-4148A – “What You Should Know About Your Rights and Responsibilities (When Applying For or Receiving Social Services)””; DSS-4148B – “What You Should Know About Social Services Programs”; DSS-4148C – “What You Should Know If You Have An Emergency”
- 1993 INF-25 Revision of DSS-4398: “WMS Non-Services Code Cards” (December, 1992 Update)
- 1993 INF-23 Revision of Mandated “Public Assistance Recertification – Medical Assistance Status” (DSS-2114)
- 1993 INF-22 Economic Security Forms Implemented, Revised or Made Obsolete in 1992
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- 1993 INF-10 Electronic Benefit Issuance and Control System (EBICS) Questions and Answers
- 1993 INF-09 The 1993 Earned Income Credit Campaign
- 1993 INF-08 Food Stamp Income Exclusions: National Community Service Act Funds
- 1993 INF-07 Revision of Applications (DSS-2921 and DSS-2921 NYC) and Accompanying “How to Complete” Publications (PUB. 1301 and PUB. 1301 NYC) and “Declaration of Citizenship/Immigration Status” Form (DSS-4060)
- 1993 INF-03 Questions and Answers from May 21, 1992 Teleconference on Immediate Needs
- 1993 INF-02 Revision of “Shelter Verification” Form (DSS-3668)
- 1993 INF-01 Annual Index of Administrative Directives, Informational Letters and Manual Bulletins for 1992
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- 1993 LCM-150 Clarification to 93 LCM-26, dated March 22, 1993, on HIV/AIDS Confidentiality
- 1993 LCM-147 Food Stamp Provisions of the 1993 Omnibus Budget Reconciliation Act: Mickey Leland Childhood Hunger Relief Act
- 1993 LCM-141 Social Services Block Grant Report and IV-B Plan for 1993 – 1997
- 1993 LCM-138 Fraud Prevention Booklet
- 1993 LCM-136 1993 Domestic Violence State Aid Rates (DVSAR) for Domestic Violence Residential Programs in New York State
- 1993 LCM-132 1993 Forms Survey
- 1993 LCM-127 National Voter Registration Act of 1993 (“Motor Voter”)
- 1993 LCM-124 1992 Domestic Violence Annual Report
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- 1993 LCM-99 Providing Food Stamp and ADC Program Participation Information to Local School Authorities
- 1993 LCM-65 Reimbursement Ceilings for Social Services for the Period October 1, 1992 through September 30, 1993
- 1993 LCM-58 Food Stamp Data Analysis Report for 10/1/91 through 9/30/92
- 1993 LCM-20 Food Stamp Reinvestment Plan
- 1993 LCM-14 Food Stamp Sanction Settlement
- 1993 LCM-04 Lashieka Jackson vs. Perales: The Effect of the Filing Unit of the Lifting of The Jackson Injunction (83 ADM-7)
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- 1992 ADM-44 Transfer of Resources: Changes in the Method of Calculating Transfer Penalty Periods
- 1992 ADM-43 Disregard of Loans for ADC Public Assistance Cases
- 1992 ADM-42 Public Assistance Budgeting: Treatment of Adoption Subsidies
- 1992 ADM-41 Quality Control Reviews: Penalty for Non-Cooperation
- 1992 ADM-40 Pursuing Support for Home Relief Applicants/Recipients and Revision of Related Forms (DSS-4279 and DSS-4280)
- 1992 ADM-39 Reimbursement Ceilings for Social Services for the Period October 1, 1991 through September 30, 1992
- 1992 ADM-37 Home Relief (HR) Plan of Self-Support
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- 1992 ADM-17 PA Budgeting: Lump Sum Notification Procedures
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- 1992 ADM-09 Food Stamps: Income Exclusion for Homeless Households in Transitional Housing
- 1992 ADM-07 Treatment of Lump Sum Workers’ Compensation Awards
- 1992 ADM-06 Treatment of Earned Income Tax Credit (EITC)
- 1992 ADM-03 Food Stamps: Failure to Comply with Employment and Training Requirements (Non-Head of Household)
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- 1992 INF-57 Revised “Programmatic Action Regulations Guide” DSS-4168
- 1992 INF-53 Digest of Laws of 1992 Relating to Social Services
- 1992 INF-49 Introduction of Combined Recertification Form (DSS-3174) and Accompanying “How To Complete” Publication (Pub. 1313)
- 1992 INF-48 Home Relief Drug/Alcohol Abuse Sanctions – Questions and Answers
- 1992 INF-45 PA, MA, and FS Treatment of Escrow Accounts Under the Family Self-Sufficiency (FSS) Program Administered by the Department of Housing and Urban Development (HUD)
- 1992 INF-42 Revision of Continuous Pinfeed Version of “Notice of Intent to Change Benefits: PA, FS, MA Coverage and Services (Timely and Adequate)” (DSS-4015C)
- 1992 INF-39 Revision to ABEL Input Sheet (DSS-3570A)
- 1992 INF-38 Revision of Two Food Stamp ABEL Budget Narratives (DSS-3959 and DSS-3961)
- 1992 INF-34 Revision to Mandatory Client Notices
- 1992 INF-31 Revision of “Shelter Verification” Form (DSS-3668)
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- 1992 INF-28 Income Maintenance Forms Implemented, Revised or Made Obsolete in 1991
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- 1992 INF-22 Food Stamp Program: Processing of and Revisions to Form DSS-2291 (Rev. 10/91), Statement of Non-Receipt of Food Stamp Benefits
- 1992 INF-21 Verification of Social Security Numbers
- 1992 INF-17 Revision to Budget Worksheet – Public Assistance (DSS-548) (Rev. 12/91)
- 1992 INF-16 Food Stamp Treatment of Payments to Qualified Organizations serving as Representative Payees in the SSI Program

- 1992 INF-12 The 1992 Earned Income Credit Campaign
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- 1992 INF-08 Public Assistance Paternity Acknowledgment
- 1992 INF-07 Verification of Information Maintained by Banks and Financial Institutions
- 1992 INF-06 Revision to Budget Worksheet – Public Assistance (DSS-548) (Rev. 12/91)
- 1992 INF-03 Revision of Continuous Pinfeed Version of “Notice of Intent to Change Benefits: PA, FS, MA Coverage and Services (Timely and Adequate)” (DSS-4015C)
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  - 1992 LCM-193 Tax Refund Offset Process – 1993 General Instructions
  - 1992 LCM-182 Supplemental Security Income (SSI) Cost of Living Adjustment for Family Type Home for Adults Residents
  - 1992 LCM-175 Quarterly Client Contact
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  - 1992 LCM-116 Client Informational Material – Forty Five Day Waiting Period for Home Relief Applicants
  - 1992 LCM-112 Recovery of Security Deposits from Landlords
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  - 1991 ADM-03 Fuel Allowances for Dependent Children Residing with Self-Maintaining Non-Legally Responsible Caretakers (McMullen vs. Perales, et al.)
  - 1991 ADM-01 Public Assistance Shelter and Fuel Needs for Children in Foster Care
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  - 1991 INF-69 Revision of Applications and Recertification Application (DSS-2921, DSS-2921(NYC), DSS-3174), Accompanying “How To Complete” Publications (Pub. 1301, Pub. 1301(NYC), Pub. 1313) and “Declaration of Citizenship/Immigration Status” Form (DSS-4060)
  - 1991 INF-68 Food Stamps: MA Referral of Persons Termed Disabled to Local District FS Staff
  - 1991 INF-66 Public Assistance Sewer, Water and Garbage Charges
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  - 1991 INF-64 Digest of Laws of 1991 Relating to Social Services
  - 1991 INF-60 Revision of Client Information Books: DSS-4148A – “What You Should Know About Your Rights and Responsibilities (When Applying for or Receiving Social Services)” DSS-4148B – “What You Should Know About Social Services Programs” DSS-4148C – “What You Should Know If You Have An Emergency”
  - 1991 INF-58 Clarification of Policy on Income-Producing Property
  - 1991 INF-57 Revisions to Mandatory Client Notices
  - 1991 INF-56 Fair Hearings – Compliance with Favorable Decisions
  - 1991 INF-51 Revised “Programmatic Action Regulations Guide” DSS-4168
  - 1991 INF-49 Food Stamps Quality Control Alert: Failure to Budget Correct Shelter Costs for Households Reporting Changes in HUD Rent Subsidies
  - 1991 INF-48 Food Stamps Policy Clarification Regarding Aged, Blind or Disabled Aliens Under the Immigration and Nationality Act (INA)
  - 1991 INF-47 Food Stamps Quality Control Alert
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  - 1991-INF-38 Food Stamps: SSI/Food Stamp Joint Processing Procedures
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  - 1991 INF-25 Resources File Integration
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  - 1991 INF-19 Revision of Applications and Recertification Application (DSS-2921, DSS-2921(NYC), DSS-3174) and Accompanying “How To Complete” Publications (Pub. 1301, Pub. 1301(NYC), Pub. 1313)
  - 1991 INF-18 Unemployment Insurance Benefits (UIB): Permanent Provision to Extend Benefits to UIB Claimants in Training
  - 1991 INF-17 Digest of Laws of 1990 Relating to Social Services
  - 1991 INF-16 Income Maintenance Forms Implemented, Revised or Made Obsolete in 1990
  - 1991 INF-15 Revision of “Bank Inquiry and Clearance Report” (DSS-760) (Rev.1/91)
  - 1991 INF-12 Filing Unit: A Non-Legally Responsible Caretaker Relative and a Natural Parent Reside with A Minor Dependent Child
  - 1991 INF-10 Introduction of Continuous Pinfeed Version of “Notice of Intent to Change Benefits: PA, FS, MA Coverage and Services (Timely and Adequate)” (DSS-4015C)
  - 1991 INF-07 Monthly Reporting Retrospective Budgeting (MRRB): Prospective Budgeting



- 1991 INF-06 Food Stamps: Treatment of Federal Pension Income
- 1991 INF-04 Unemployment Insurance Benefits (UIB): Permanent
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  - 1991 LCM-181 Payment of Child Care for Employed Caretaker Relatives Prior to the Application of the Child Care Disregard
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  - 1991 LCM-129 Recovery of Security Deposits from Landlords
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  - 1991 LCM-80 Increase in Federal Minimum Wage Level
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  - 1991 LCM-60 Disclosure of Information to the U.S. Department of Veterans' Affairs
  - 1991 LCM-48 Filed Regulation 352.22(o) Filed Regulation 352.22(v) Filed Regulation 504.5
  - 1991 LCM-46 Section 8: Proposed Change to Department Regulation 352.3(d) to Establish a Shelter Schedule for Public Assistance Tenants Who Participate In The Section 8 Certificate Program
  - 1991 LCM-45 Education for Homeless Children
  - 1991 LCM-32 Federal Reimbursement for Cash/Medical Assistance and Administration Under the Refugee/Entrant Assistance Program(R/EAP) for FFY 91
  - 1991 LCM-28 Filed Regulation 352.22(x)
  - 1991 LCM-19 Information on High School Diploma Programs
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  - 1990 INF-67 Revision of "Emergency Assistance For Adults Applicant Statement" (DSS-2921A)
  - 1990 INF-66 Revision of "Documentation/Verification Desk Aid" (DSS-3666)
  - 1990 INF-65 Revision of Client Information Books: DSS4148A – "What You Should Know About Your Rights and Responsibilities (When Applying for or Receiving Social Services)" and DSS-4148B – "What You Should Know About Social Services Programs"
  - 1990 INF-62 Errata 90 INF-62 (Revisions to DSS-3825 and Cancellation of DSS-3824), Transmittal Date November 9, 1990
  - 1990 INF-57 Revisions to Mandatory Client Notices
  - 1990 INF-53 Errata 90 INF-53 (Food Stamp; Complaint Procedures/Requirements) transmittal Date October 1, 1990
  - 1990 INF-52 Grants of Assistance to Guide Dogs: Elimination of Quarterly Report (DS-3094)
  - 1990 INF-49 Revision of "ADC-U Screening Checklist" (DSS-2502)
  - 1990 INF-47 Food Stamp Notice for October 1, 1990 Food Stamp Changes
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  - 1990 INF-34 Revision to Monthly Reporting Data Mailers (DSS-3469; DSS-3469A) and Monthly Reporting Instructions (DSS-3469B; DSS-3469B(S))
  - 1990 INF-33 Treatment of Income from Certain Seniors Citizen Programs for Public Assistance, Medical Assistance and Food Stamps
  - 1990 INF-32 Revisions to Applications (DSS-2921 and DSS-2921 (NYC))
  - 1990 INF-31 The Earned Income Credit Campaign
  - 1990 INF-30 Home Relief (HR) Job Search Program Questions and Answers
  - 1990 INF-27 Revision of "School Attendance Verification" Form (DSS-3708)
  - 1990 INF-26 Food Stamp Program: Revision of Replacement Claim Statement – Food Stamp Program (DSS-2291, Rev. 1/90)
  - 1990 INF-25 Revision of "Shelter Verification" Form (DSS-3668)
  - 1990 INF-22 SSI: Budgeting of Income for Persons Living with ADC Households
  - 1990 INF-21 Revisions to Recertification Application (DSS-3174) and its Companion Publication (PUB-1313)
  - 1990 INF-18 Food Stamps: Medicare Part B Premiums as a Medical Deduction
  - 1990 INF-17 Revision of Recertification Guide (DSS-3608)
  - 1990 INF-13 Revision of "Declaration of Citizenship/Alien Status" form (DSS-4060)
  - 1990 INF-08 "Programmatic Action Regulations Guide" DSS-4168
  - 1990 INF-06 Food Stamp Certification of Self Employed Farmers
  - 1990 INF-05 Revision to Food Stamp ABEL Budget Narratives (DSS-3959, DSS-3960, DSS-3961)
  - 1990 INF-04 Food Stamp Program Treatment of Child Care Food Program (CCFP) Payments
  - 1990 INF-03 Revisions to Applications and Recertification Forms and Their Companion Publications (DSS-2921, 2921(S), 2921(NYC), 2921(NYC)(S), 3174, 3174(S); PUB-1301, 1301(S), 1301(NYC), 1301(NYC)(S), 1313 and 1313(S))
  - 1990 INF-02 Public Assistance Security Deposits



- 1990 INF-01 Annual Index of Administrative Directives, Informational Letters and Manual Bulletins for 1989

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- 1990 LCM-182 Revised SDX (SSI) Instructions
  - 1990 LCM-181 Filed Regulation 352.30(F)
  - 1990 LCM-169 Training Fees Increase
  - 1990 LCM-168 Local district IV-D Cooperative Agreements
  - 1990 LCM-165 Federal Lobbying Act-Certification Requirements
  - 1990 LCM-157 Welfare Reform Conference
  - 1990 LCM-155 Burials – Itemized Billing
  - 1990 LCM-153 Domestic Violence Maintenance Grants
  - 1990 LCM-135 PA Closing Reports for Notification of Transitional Child Care Benefits
  - 1990 LCM-132 Teenage Services Act (TASA)
  - 1990 LCM-131 Case Management Reimbursement for AIDS
  - 1990 LCM-77 “Face Facts” Family Violence Prevention Campaign
  - 1990 LCM-73 AFDC Transitional Housing Demonstration
  - 1990 LCM-54 Teenage Services Act Evaluation
  - 1990 LCM-42 Earned Income Credit Campaign
  - 1990 LCM-41 PG-ADC Case Count Procedures
  - 1990 LCM-39 Unapplied/Undistributed Support Collections
  - 1990 LCM-37 Effect of the Computer Matching and Privacy Protection Act of 1988 on Automated SDX/WMS Interface (ASWI) Processing
  - 1990 LCM-27 Income and Resource Collection Subsystems (IRCS)
  - 1990 LCM-22 Child Support Enforcement Referral for Title IV-E Foster Care Cases
  - 1990 LCM-18 Lump Sum Retroactive SSI and RSDI Payments
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- 1989 ADM-52 Cancellation of Outdated or Duplicative Administrative Directives
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  - 1989 ADM-41 Change of Policy Concerning Public Assistance Budgeting of Income From Roomers and Room and Boarders (Boarder/Lodger Income)
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  - 1989 ADM-12 Transmitting Applications for Social Security Numbers (SS-5s) to the Local Social Security Office
  - 1989 ADM-9 Notification to Monthly Reporting Households that Return a Late Incomplete Monthly Report Form & Language for Client (Ruffin v. Perales)
  - 1989 ADM-02 Home Relief Cash Allowance for Persons in Public Shelters for Adults (Thrower v. Perales)
- #### INFs
- 1989 INF-70 Food Stamps: Budgeting of Certain Student Income
  - 1989 INF-61 Fire Insurance on Client Owned Property
  - 1989 INF-60 Non-Public Assistance Food Stamp Notice for the Federal Cost of Living Adjustment in Social Security and Supplemental Security Income (SSI)
  - 1989 INF-55 Lump Sums

- 1989 INF-54 Participation by Pregnant Women in Emergency Assistance To Families (EAF)

- 1989 INF-47 Digest of Laws of 1989 Relating to Social Services
- 1989 INF-46 Food Stamps: Application Processing for Migrant/Seasonal Farm workers

- 1989 INF-34 Food Stamp Policy Regarding Eastern Airlines Strikers

- 1989 INF-33 Page Replacements for 89 ADM-18

- 1989 INF-32 Payment of Sales Tax for Public Assistance Recipients Placed in Hotels/Motels

- 1989 INF-31 Food Stamp Household Composition: Three Generation Household and Living With Siblings

- 1989 INF-29 Revision of “MA/FS Separate Determination Input Form” (DSS-3558)

- 1989 INF-25 Incapacity as an ADC Deprivation Factor

- 1989 INF-22 SSI/SSA: Pursuit of Benefits by Certain Public Assistance Applicants/Recipients

- 1989 INF-15 SSI Referrals of Individuals Dependent on Alcohol or Drugs

- 1989 INF-14 Digest of Laws of 1988 Relating To Social Services

- 1989 INF-12 Clarification of Alien Issues

- 1989 INF-03 1988-89 Home Energy Assistance Program (HEAP) Questions and Answers

- 1989 INF-01 Annual Index of Administrative Directives, Informational Letters and Manual Bulletins for 1988

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- 1989 LCM-170 Claiming Reimbursement of Filing Fees for Court Cases

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- 1988 ADM-52 Cancellation of Outdated Administrative Directives

- 1988 ADM-46 July 1, 1988 Increases in the SSI and HR Congregate Care Level II Rates and in the PNA For SSI Recipients in Medical Facilities

- 1988 ADM-40 Exclusion of Senior Community Service Employment Program (SCSEP) Income as Food Stamp Income

- 1988 ADM-34 Cancellation of Outdated Administrative Directives

- 1988 ADM-26 Cancellation of Outdated Administrative Directives

- 1988 ADM-06 Comprehensive Employment Report (CER) DSS-3545 (Re 11/87)

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- 1988 INF-81 Clarification of Food Stamp Regional Meetings Questions and Answers

- 1988 INF-75 Burial Spaces/Plots

- 1988 INF-71 Social Security Numbers Issued Prior to January 1, 1972 for Purposes of Verifying Alien Status

- 1988 INF-68 Graduate Student Assistantships

- 1988 INF-67 Refugee/Entrant Assistance Program: Eligibility of Certain Amerasian Immigrants

- 1988 INF-64 PA/Energy Voluntary Restriction Form

- 1988 INF-58 Revision to Form DSS-2502: “ADC-U Screening Checklist” and DSS-548 “Budget Worksheet – Public Assistance”

- 1988 INF-53 Availability of Special Funding to Operate Expanded Educational and Occupational Training Programs for HR & NPA Food Stamp Recipients

- 1988 INF-50 Food Stamp Categorical Eligibility: Budgeting of Food Stamp Households Retroactively Determined Eligible for SSI

- 1988 INF-47 Amendment to Department Regulations Increasing Public Assistance Exemption of Earnings of Family Day Care Providers

- 1988 INF-45 Amendment of Department Regulation Regarding Public Assistance Exemption of Student Earnings
- 1988 INF-38 Revision to DSS-3342: “Food Stamp Program Disqualification Notice/Notice of Food Stamp Overissuance Action”
- 1988 INF-36 Revision of DSS-3153: “Continuing Your Food Stamps”
- 1988 INF-34 Food Stamp Categorical Eligibility 87 ADM-35
- 1988 INF-30 Biggs v. Lyng – Home Relief/Interim Assistance Payments
- 1988 INF-23 1988-1989 Comprehensive Employment Program (CEP) and the Food Stamp Employment and Training Program (FSET): Guidelines and Planning Documents
- 1988 INF-16 Revised DSS-3890 Comment Sheet
- 1988 INF-11 Increase in Maximum Amount of Grant Which May Be Provided Toward Purchase of an Interest In a Cooperative in a Low Cost Housing Unit
- 1988 INF-10 Revisions to the Second Monthly Reporting Mailer (DSS-3469A)
- 1988 INF-01 Annual Index of Administrative Directives, Informational Letters and Manual Bulletins for 1987
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- 1988 LCM-43 Non-Discrimination Policy Concerning HIV and AIDS
- 1988 LCM-32 Public Assistance Training Manual
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- 1988 LCM-3 Filed Regulations
- 1988 LCM-1 New Communication Vehicle: Local Commissioners Memorandum (LCM)
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- 1987 ADM-52 Community Work Experience Program (CWEP) – ADC Work Experience
- 1987 ADM-28 Monthly Reporting (Jensen v. Perales)
- 1987 ADM-25 Social Security Number Validation Process
- 1987 ADM-24 Assistance for Newborns (Vega v. Perales)
- 1987 ADM-14 Special Monthly Restaurant Allowance for Pregnant Women and Children
- 1987 ADM-05 Increase in Grants of Assistance to Guide Dogs (GAGD) Program
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- 1987 INF-66 Increase in the State Supplemental Personal Needs Allowance (SSPNA)
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- 1987 INF-58 Elimination of 60 Day Limit on the Storage of Furniture and Personal Belongings Under the Emergency Assistance to Adults Program (EAA)
- 1987 INF-54 the Revision of the DSS-2425, Repayment of Interim Assistance Notice
- 1987 INF-53 SSI Related Case Closing
- 1987 INF-52 Digest of Laws of 1987 Relating to Social Services
- 1987 INF-50 Prenatal Care Act of 1987: Chapter 822 of the Laws of 1987
- 1987 INF-48 Education Services: Payment of Reduced Tuition for Vocational Training at Board of Cooperative Education Services (BOCES) Facilities
- 1987 INF-47 Literacy Volunteers of New York State. Inc.
- 1987 INF-45 Expanded Child Care Demonstration Project
- 1987 INF-42 Sales Tax on Food Stamp Purchases
- 1987 INF-40 The Amendment of Subdivision (b) of Section 372.4 of Title 18 NYCRR (EAF Property Repairs)
- 1987 INF-38 Food Stamp Client Education Video
- 1987 INF-37 Responsibility of Local Districts During the Fair Hearings Process
- 1987 INF-35 Food Stamp Eligibility for the Disabled: Press Release

- 1987 INF-32 Tax Credit Programs: Targeted Jobs Tax Credit (TJTC)
- 1987 INF-31 Energy Conservation Bank (ECB)
- 1987 INF-30 New York Telephone Life Line
- 1987 INF-29 Income Maintenance Regional Meetings: Questions and Answers
- 1987 INF-28 Adult Educational Services: Welfare Education Program (WEP), Employment Preparation Education Program (EPE), and Adult Education Act (AEA – Also Known as Adult Basic Education (ABE))
- 1987 INF-27 Job Training Partnership Act (JTPA): Remediation and Assessment Requirements Amendments for Summer Programming
- 1987 INF-26 “Food Stamp Restaurant Program for the Elderly and Disabled.” List of Authorized Restaurants
- 1987 INF-25 Job Training Partnership Act (JTPA): Schedule for Modifications of the Job Training Plan JTPA Allocations (1987-88) Changes in the JTPA Title IIB Program – (Summer Youth)
- 1987 INF-23 Job Training Partnership Act (JTPA): Title IIA Statewide Summary Report for July 1985 – June 1986
- 1987 INF-19 Clarification of Excess Income Policy
- 1987 INF-18 Food Stamp Eligibility of Certain Aliens Admitted as Permanent Residents
- 1987 INF-17 Revised Food Stamp Standard Utility Schedules
- 1987 INF-16 Reimbursement for Educationally Handicapped Children Placed in Child Care Institutions or RTFs
- 1987 INF-15 The Revision of the DSS-3021, AFDC/SSI Inter-agency Request Form
- 1987 INF-14 Submission of DSS-2550: Application Register (or WINR 1140 – DS-2550 Food Stamp Application Register)
- 1987 INF-12 Planning Year (PY) ’86 Hard to Serve Incentive Awards
- 1987 INF-10 Jobs Created by the NYS Job Development Authority Available to Public Assistance Recipients
- 1987 INF-07 Department of Social Services/State Education Department Employment Program Initiatives
- 1987 INF-05 Interagency Agreement Between the Department of Social Services and Office of Mental Health on Discharge Planning
- 1987 INF-03 Clarification of Employability Status of ADC Caretaker Relative with Children Under Six
- 1987 INF-01 Annual Index of Administrative Directives/Informational Letters, Manual Bulletins 1986
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- 1986 ADM-42 Retroactive Budgeting of Three Generation Households (Yates et al. v. Buscaglia et al.)
- 1986 ADM-40 Assistance to Recipients Who Move from One District to Another (Rogers v. Kramer)
- 1986 ADM-27 Retroactive Aid Category Changes
- 1986 ADM-13 Client Requested Restricted Payments
- 1986 ADM-10 Revision of PA-Employment Related Sanctioning Procedures
- INFs
- 1986 INF-47 Licensure of Home Care Services Agencies and Certification of Home Health Agencies
- 1986 INF-43 Permanency Practice Issue: Parental Involvement With Their Children and With The Supervising Agencies
- 1986 INF-41 1986 Legislation Related to Victims of Domestic Violence
- 1986 INF-37 Clarification of Certain Environmental Standards for Family Type Homes (Dept. Regulation Part 489)
- 1986 INF-34 Revised State Form DSS-1552 and Instructions
- 1986 INF-25 Home Energy Assistance Program (HEAP) Reporting Requirements of Section 6041 of the Internal Review Code (IRC)
- 1986 INF-23 WMS Homeless Indicator

- 1986 INF-18 Family-Type Homes for Adults: Responses to Questions Raised by Local Staff at Regional Technical Assistance Sessions
- 1986 INF-15 Digest of Laws of 1986 Relating to Social Services
- 1986 INF-12 Interstate Compact for the Placement of Children
- 1986 INF-11 Utilization Trends of Section 473-a of the SSL Short Term Involuntary Protective Services Orders
- 1986 INF-07 Regulations for the Shelter for Families Program
- 1986 INF-03 Parental Visiting of Children in Foster Care
- 1986 INF-02 Annual Index of Administrative Directives INF's, 1985
- 1986 INF-01 Digest of Laws of 1985 Relating to Social Services All Commissioners Letters
- 06/13/86 – Availability of Non-Liquid Resources
- 03/18/86 – Allowance for Furniture and Supplies
- 03/18/86 – Increase in Visitor Allowance
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- 1985 ADM-49 Monthly Allowances for Supplemental Home Energy Assistance
- 1985 ADM-45 Fair Hearings to Contest Determinations of Employability
- 1985 ADM-38 Implementation in Local Social Services Districts of New and Revised Eligibility Documents for Public Assistance, Medical Assistance and Food Stamps
- 1985 ADM-31 Underwood and Morgan v. Blum – Retroactive SSI Invisibility
- 1985 ADM-24 Work Incentive Program (WIN Demonstration) and Other Changes that Affect All Districts
- 1985 ADM-17 Procedures for Implementation of Legislation Regarding Recipient Noncompliance with Employment Related Requirements (SSL § 131.5)
- 1985 ADM-09 Cooperative Cases (Danks v. Perales)
- 1985 ADM-01 Burial Trusts for SSI Recipients
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- 1985 INF-10 Case Assessment and Prioritization
- 1985 INF-02 Annual Index of Administrative Directives/Informational Letters 1984
- 05/02/85 EIC
- 02/14/85 Public Housing
- 02/01/85 Support Pass-through
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- 1984 ADM-42 Water Allowances for PA Recipients
- 1984 ADM-39 Implementation of the Applicable Provisions of the Deficit Reduction Act of 1984 (Public Law 98-369)
- 1984 ADM-25 Fiscal Responsibility for Recipients Discharged Directly from Mental Hygiene Institutions into Community Residences Certified by the Office of Mental Health
- 1984 ADM-20 PA Recertification – MA Status Notice to Recipients
- 1984 ADM-10 Payment of the Supplemental Security Income (SSI) Rate to Home Relief (HR) Recipients in Congregate Care Facilities
- 1984 ADM-01 Exemption of JTPA Allowances
- INFs
- 1984 INF-14 Digest of Laws of 1984 Relating to Social Services
- 1984 INF-06 Changes in the Preparation of Social Security Number Applications (Form SS-5)
- 1984 INF-03 Annual Index of ADM Directives/INF Letters, 1983 Letters
- 09/25/1984 Prospective Budgeting
- 07/02/1984 Danks v. Perales

- 01/17/1984 – IAR
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- 1983 ADM-67 Grazyna Pasternak v. Blum: Exemption of Graduate School Grants and Loans
- 1983 ADM-55 Stepparent Deeming (Kelly v. Perales)
- 1983 ADM-53 Clarifications of Procedures in Authorizing EAF Payments
- 1983 ADM-49 EAF Modification Confirmed by the U.S. Supreme Court in the Blum v. Bacon Litigation
- 1983 ADM-48 Changes in the Refugee Assistance Program (RAP) and Cuban/Haitian Entrant Program (CHEP)
- 1983 ADM-45 Budgeting of Individuals and Families Temporarily Housed in Hotels/Motels
- 1983 ADM-38 Determining the Standard of Need for the Gross Income Limitation
- 1983 ADM-37 Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97-248) and Chapter 548 of the Laws of 1983: Rounding Down Provision
- 1983 ADM-30 Deeming of a Stepparent's Income to PA Dependents
- 1983 ADM-25 Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97-248): Military Service No Longer Deprivation Factor for ADC
- 1983 ADM-12 Clarification of New SSI Requirement: Disclosure of Tax Return Information (82 ADM-67)
- 1983 ADM-10 Failure to Cooperate with Child support Enforcement Requirements: Vasquez v. Blum
- INFs
- 1983 INF-14 Burial Set Asides for SSI Recipients
- 1983 INF-08 Voter Registration Activities
- 1983 INF-07 Retrospective Monthly Accounting (RMA) in the Supplemental Security Income (SSI) Program
- 1983 INF-05 Annual Index of ADM Directives/INF Letters, 1982
- 1983 INF-02 Removal of the Remaining Sex Based Distinctions in Social Services Law Section 131.5; Chapter 388 of the Laws of 1983
- All Commissioners Letters
- 12/29/1983 IAR
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- 1982 ADM-78 Allen v. Blum: Budgeting the Income of a Spouse or Parent Who Fails to Apply for Public Assistance
- 1982 ADM-75 Elimination of Proration in PA cases Affected by the Swift v. Toia Case
- 1982 ADM-74 Provision of Adequate and Timely Notice for HR Supplemented Recipients of SSI Benefits When the HR Benefit is Reduced or Discontinued
- 1982 ADM-68 Public Work Project Worksites at Religious Institutions; Atchinson et al. v. Blum
- 1982 ADM-65 Nafziger et al. v. Blum
- 1982 ADM-55 Rivers v. Schweiker et al. Federal Court Decision Regarding 10-day Interim Assistance Accounting Period and Authorization Processing Procedures.
- 1982 ADM-49 Treatment of Earned Income Credits and Further Clarification of Other Provisions Covered in 81 ADM-55
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- 1982 ADM-17 Assignment and Subrogation (Chapter 319 Laws of 1981)
- 1982 ADM-15 Budgeting Sick Pay Benefits as Earned Income (Pennick v. Blum and Buscaglia)



- 1982 ADM-03 Folsom v. Blum: New Developments  
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- 1982 INF-24 Emergency Nutrition Aid Program for Pregnant Women and Adolescents
- 1983 INF-20 Procedures for the Use of the General Information System (GIS)
- 1982 INF-19 State Supplemental Personal Needs Allowance (SSPNA) to SSI Recipients Placed in Certain Health Care Facilities Out-of-State
- 1982 INF-13 State Supplemental Personal Needs Allowance
- 1982 INF-07 Annual Index of ADM Directives/INF Letters, 1981
- 1982 INF-01 Increase in Veterans Pension Benefits for Service Connected Disability  
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- 1981 ADM-67 EAF Modification Ordered by the U.S. Court of Appeals in the Bacon v. Toia Litigation
- 1981 ADM-65 U.S. District Court Settlement: Montes v. Blum, Treatment of Shelter Allowance in Rental Disputes in ADC Cases
- 1981 ADM-63 Percy v. Blum Budgeting Earned Income on Non-PA Legally Responsible ADC Caretaker Relatives
- 1981 ADM-61 Further Court Order in the Swift v. Toia Case
- 1981 ADM-56 ADC Child Care Allowance for Student Parents
- 1981 ADM-52 Public Law 97-35: Repealing the 20% Vendor Restricted Payment Limitation and the Montes v. Blum Case
- 1981 ADM-51 Freedman v. Blum Decision
- 1981 ADM-44 PA/SSI Households: Income of SSI Recipients – Further Development in the Folsom v. Blum Case
- 1981 ADM-38 U.S. Circuit Court of Appeals Decision, Hayes and Warren v. Blum, and U.S. District Court Decisions, Jamroz v. Blum and Markel v. Blum: Treatment of Educational Grants, Loans and Scholarships
- 1981 ADM-27 Riddick v. Blum Court Decision
- 1981 ADM-26 Monthly Allowances for Home, Energy Needs, Effective July 1, 1981
- 1981 ADM-25 IV-A/IV-D Interface Record Keeping in Good Cause Claims
- 1981 ADM-24 SSI/AFDC Payment Coordination Form DSS-3021
- 1981 ADM-01 Income of Illegal Aliens Ineligible for Public Assistance and Care  
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- 1981 INF-32 Digest of Laws of 1981 Relating to Social Services
- 1981 INF-28 New Interim Assistance Legislation Chapter 433 of Laws of 1981
- 1981 INF-14 Addendum to 1981 INF-10
- 1981 INF-12 Recently Enacted Federal Legislation Related to the Supplemental Security Income (SSI) Program
- 1981 INF-10 Clarification of Certain Issues Regarding Burial Trust for SSI Recipients
- 1981 INF-09 Allocation of WIN Medical Expenditure Funds for the Period October 1, 1979 through September 30, 1980
- 1981 INF-03 Annual Index of ADM Directives/INF Letters, 1980
- 1981 INF-02 Reallocation of WIN Services Funds for Federal Fiscal Year 1980
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- 1980 ADM-64 Tax Credit Programs
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- 1980 ADM-42 Necessity of obtaining correct SSN for all applicant/recipients and absent parents
- 1980 ADM-11 U.S. Supreme Court Decision in the Matter of Califano v. Westcott: Extension of ADC-U Eligibility to Unemployed Mothers and Its Impact on the Work Incentive and Work Rules Programs
- 1980 ADM-4 Inter-district jurisdictional disputes  
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- 1980 INF-23 1981 Clients' Reporting Date Schedule – Work Referral
- 1980 INF-14 Revised DSS 1776 Work Relief Project Activity Work Sheet
- 1980 INF-10 Reallocation of WIN Services Funds for Federal Fiscal Year 1979
- 1980 INF-07 1980 Census
- 1980 INF-06 List of Records Maintained by DSS (Freedom of Information Law)
- 1980 INF-04 Allocation of WIN Medical Expenditures Funds for the Period October 1, 1978 through September 30, 1979
- 1980 INF-02 Annual Index of ADM Directives/INF Letters, 1979  
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- 1979 ADM-82 Burial Trust for SSI recipients
- 1979 ADM-02 Child Care for Employed ADC/HR Applicants/Recipients  
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- 1979 INF-32 Automatic Four-Month Extension of MA for Certain Families who Become Ineligible for ADC
- 1979 INF-20 Digest of Laws of 1978 Relating to Social Services
- 1979 INF-19 Revised CETA Referral/Enrollment Form
- 1979 INF-18 Reference Guide to SSI – Related IM Activities and Programs
- 1979 INF-17 Section 8 – Housing Assistance Payments (HAP) Program for Lower-Income Families
- 1979 INF-15 Revised CETA Desk Aid
- 1979 INF-14 Settlement of International Union of Electrical Workers (I.U.E.) v. Bergland Lawsuit
- 1979 INF-13 Aliens – Permanent Residence Under Color of Law
- 1979 INF-08 Emergency Assistance for Adults (EAA) – A Desk Reference Outlining Available Benefits
- 1979 INF-07 Pen and Ink Correction of '78 INF-8 (EAA Desk Reference)
- 1979 INF-05 Disregard of Per Capita Judgment Fund Paid to Indians  
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- 1978 ADM-95 Foran v. Dimitri – Sanctioned for Failure to Comply with Part 385 Requirements
- 1978 ADM-93 Maximum Utilization of SSI Program by Requiring ADC Applicants/Recipients Who Appear Disabled to Apply for SSI
- 1978 ADM-76 SSI/AFDC Payment Coordination Form DSS-3021
- 1978 ADM-71 Nondiscrimination-Handicapped Section 504-Rehabilitation Act of 1973
- 1978 ADM-56 Public Assistance and Care for Migratory Seasonal Farm Workers
- 1978 ADM-55 Emergency Home Relief Grants for Presumptive SSI-Eligible Persons



- 1978 ADM-48 Services to Victims of Domestic Violence: Special Care Homes as Authorized by Chapter 450 of the Laws of 1977
- 1978 ADM-26 Definition of “Appropriate Rehabilitative Program” for Purposes of Home Relief Eligibility
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    - 1978 INF-37 Additional Food Stamp Reimbursement
    - 1978 INF-32 Automatic Four-Month Extension of MA for Certain Families Who Become Ineligible for ADC
    - 1978 INF-20 Digest of Laws of 1978 Relating to Social Services
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    - 1978 INF-18 Reference Guide to SSI – Related IM Activities and Programs
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    - 1977 ADM-134 Treatment of Educational Grants, Loans and Scholarships
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    - 1977 ADM-96 Budgeting of Applicant Who is an “Essential Person” in an Active SSI Case
    - 1977 ADM-85 Congregate Care Directory
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    - 1977 ADM-56 Minimum Income Level (MIL) Maintenance Program
    - 1977 ADM-54 Emergency Assistance to Adults (EAA) – Direct Deposit Program for SSI Checks
    - 1977 ADM-40 Change in Procedures Regarding the Use of Timely and Adequate Notices During an Eligibility Questionnaire Mail-Out Project
    - 1977 ADM-26B Citizenship and Alien Status as a Condition for Public Assistance and Care
    - 1977 ADM-26 Citizenship and Alien Status as a Condition for Public Assistance and Care
    - 1977 ADM-25 Chapter 77 of the Laws of 1977: Duplicate Assistance Payments
    - 1977 ADM-22 Settlement in the Case of Jefferies v. Sugerman, Clarification of Policy with Respect to Four-Year College Students Who Are Applicants and Recipients of AFDC
    - 1977 ADM-06 Recoveries of Advance Allowances for Rent and/or Utilities (Reves v. Dumpson & Lavine)
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    - 1977 INF-23 Access to Social Security Administration Income Information
    - 1977 INF-15 Pass-Through of Federal Cost-of-Living Increases to SSI Recipients and Increases in State Supplement Payments
    - 1977 INF-12 List of Available Records for NYS DSS - Freedom of Information Law
    - 1977 INF-09 Upgrading of “Less Than Honorable Discharge from Military Service”
    - 1977 INF-01 Recent SSI Legislation
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    - 1976 ADM-122 Clarification of Policy, Sanctions for Voluntarily Terminating Employment, Milne, et al. vs. Lavine, et al.
    - 1976 ADM-121 Miscellaneous Shelter Grants and Allowances

- 1976 ADM-115 Date of Initial Entitlement of Assistance for Eligible Applicants
  - 1976 ADM-110 EAA Policy: Claiming for Repairs To, or Maintenance On, Property Not Owned by the SSI Occupant
  - 1976 ADM-104 Exceptions to the Timely Notice Requirement in Certain Cases of Proposed Adverse Action
  - 1976 ADM- 87 EAF Clarification of Policy
  - 1976 ADM-60 Privacy Act Notice – Disclosure and Use of Social Security Number
  - 1976 ADM-31 Replacement Cost of Clothing
  - 1976 ADM-09 Client Reminder to Report Change
  - 1976 ADM-09A Client Reminder to Report Change (Spanish Version)
  - 1976 ADM-07 Welfare Enumeration – Revision of Required Procedures
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  - 1976 INF-35 Requirement for Use of New Forms DSS-2655 and DSS-2657
  - 1976 INF-34 Bonus Payments to ADC Families Under Title IV-D
  - 1976 INF-33 List of Available Records for NYS DSS Freedom of Information Law
  - 1976 INF-25 Federal Policy Clarification
  - 1976 INF-23 Digest of Laws of 1976 Relating to Social Services
  - 1976 INF-22 Family Planning Services Flyer, “The Stork Should Be An Invited Guest”
  - 1976 INF-14 List of Available Records for NYS DSS Freedom of Information Law
  - 1976 INF-13 Evidentiary Requirements for Case Actions and FH for “Man-in-House” Cases
  - 1976 INF-09 Title IV-D, Change of Payee Under Assignment of Right
  - 1976 INF-02 EAF Court Decision – Baumes v. Lavine
  - 1976 INF-01 Introduction to DSS-2487, Notice of CETA Referral or Enrollment
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    - 1975 ADM-131 1975 Index to ADM/INF Letters and List of Releases Superseded in 1975
    - 1975 ADM-108 EAA-Program Amendment and Expansion
    - 1975 ADM-86 N.Y. Court of Appeals Decision: Jones v. Lavine (Westchester Co.); Domine and Gipson v. Lavine (Albany Co.); Duplicate Assistance Payments Under the Emergency Assistance for Families (EAF) Program (S.S.L. § 350-j; 18 NYCRR § 372.2(c); Expedited Hearings Under EAF
    - 1975 ADM-85 MA Eligibility of Children in Foster Care
    - 1975 ADM-78 Expedited Hearings for EAF/EAA
    - 1975 ADM-73 Family Planning Services
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    - 1975 INF-56 List of Available Records for NYS DSS Freedom of Information Law
    - 1975 INF-45 Federal Legislation, “Emergency Housing Act of 1975” (PL 94-50)
    - 1975 INF-42 Improper Practices by Rental Brokers
    - 1975 INF-33 Final Federal Regulations Under Title XX
    - 1975 INF-29 Implementation of New Federal Paternity and Support Requirements
    - 1975 INF-25 Desk Aid – CETA - Program and Policies
    - 1975 INF-11 Model Regulations for Public Access to Records Freedom of Information Law
    - 1975 INF-09 Interim Payments Under Home Relief for SSI Eligibles – Continuation of Instructions in 74-ADM-176
    - 1975 INF-07 Family Planning Services – Flyer “The Smaller Size”
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- 1974 ADM-132 Freedom of Information Law: Implementation by Local Districts
- 1974 ADM-124 Emergency Assistance to Adults (EAA)
- 1974 ADM-96 Continuation of Assistance Payments, Medical Assistance Authorization and Food Stamp Authorization When Fair Hearing is Requested
- 1974 ADM-83 Fraud Investigations of Voluntary Case Closings Occurring During the Public Assistance and Medical Assistance Face-to-Face Recertification Programs
- 1974 ADM-79 Standards of Assistance – Monthly Grants and Allowances
- 1974 ADM-26 Recommended Procedure to Reduce the Incidence of Illegal Welfare Check Cashing
- 1974 ADM-24 Shelter Allowances
- 1974 ADM-11 Averaging of Earned Income for ADC Recipients
- 1974 ADM-06 Emergency Assistance to Adults

## INFs

- 1974 INF-34 PA for Strikers
- 1974 INF-28 Disregards of Payment Received Pursuant to the Alaska Native Claims Act
- 1974 INF-20 Information Flow and Processing, PA Eligibility

## 1973

## WIN ADM

- 1973 WIN ADM-09 Application of #30 and 1/3 Earned Income Disregard

## PWDs (Administrative Letters)

- 1973 PWD-182 Clarification of Admin. Letter 73 PWD-159 Relating to Investigation and Eligibility; Continued Federal Court Order in *Lewis v. Lavine* Admin. Letter 73 PWD-88
- 1973 PWD-173 Right to Apply for Public Assistance and Action of Suspension of Assistance Eliminated
- 1973 PWD-161 Addendum to Admin. Letter 73 PWD-93 of 6/18/73 (Requirements Applicable to Fraud Cases)
- 1973 PWD-159 Investigation and Eligibility
- 1973 PWD-157 Application for Public Assistance
- 1973 PWD-131 *Dublino v. NYS DSS (Non-Win Districts Only)*
- 1973 PWD-124 Security Deposit for Gas and Electric Service
- 1973 PWD-09 (1) State Approval for Sale of Conveyed Real Estate prior to Death of Recipient (2) Redemption of Real Property After a Deed or Mortgage Has Been Given to a Social Services District

## INFs

- 1973 INF-48 Recipient Non-Payment of Shelter Expenses
- 1973 INF-34 Digest of Laws of 1973 Relating to Social Services
- 1973 INF-13 NYS DSS Response to Natural Disasters
- 1973 INF-01 Release of Information to Internal Revenue Service

## 1972

## PWDs (Administrative Letters)

- 1972 PWD-157 Decisions & Actions
- 1972 PWD-149 *Dublino* Case Court Order: HR Employables; Notice to Recipients Relative To Right to Fair Hearing on Determination of Employability pursuant to Section 131.4 of the Social Services Law and Part 385 of the Regulations
- 1972 PWD-148 Court Order in Case of *Dublino v. Wyman* (New York State Work Rules)
- 1972 PWD-147 Inclusion of Full Shelter Allowance in One Semi-Monthly Check
- 1972 PWD-137 Shelter Payments – Chapter 943 Laws of 1972
- 1972 PWD-133 laws of 1972 – Amendment to Social Services Law, in Relation to Rent Security Deposits
- 1972 PWD-84 Revised WIN Program (III), Budgeting of WIN Enrollees Who Are Employed or in OJT
- 1972 PWD-23 Public Works Project – Workmen's Compensation

- 1972 PWD-16 Inquiry and Report on Unemployment Insurance Benefits Form DSS-1416

- 1972 PWD-08 FSP – Instructions for Local Districts on Recipient Claim Determinations

## INF

- 1972 INF-37 Educational Services for Children of Families Residing in Motel/Hotels

## 1971

## PWDs (Administrative Letters)

- 1971 PWD-105 Photo ID Cards
- 1971 PWD-103 Grouping of Districts by PA Caseload
- 1971 PWD-81 Photo ID Cards
- 1971 PWD-75 Possible Travel to be Reporting to DA
- 1971 PWD-68 Chapter 123 of the Laws of 1971
- 1971 PWD-63 Photo Identification Cards
- 1971 PWD-62 Volunteers
- 1971 PWD-61 *Lopez v. Wyman*
- 1971 PWD-55 Welfare Residency Requirements
- 1971 PWD-46 Study of Characteristics of Recipients of Home Relief

- 1971 PWD-41 Separation of Services, Guidelines Pursuant to Chapter 109, Laws of 1971, Supplemental to Admin Letter '71 PWD-23

- 1971 PWD-21 Standards of Assistance

## 1970

## PWD (Administrative Letter)

- 1970 PWD-84 Location of SSD Office

## INF

- 1970 INF-22 Digest of Laws of 1970 Relating to Social Services

## 1968

## WDs (Administrative Letters)

- 1968 PWD-41 Exemption of Income and Resources
- 1968 PWD-13 Reporting of ADC Children in Need Due to Absence of Parents

## INFs

- 1968 INF-29 Digest of Laws of 1968 Relating to Social Services
- 198 INF-17 Cuban Refugee Program: Adjustment of Status from Parolee to Permanent Resident

## Manual Bulletins (undated)

- MB 195 - Compilation of Requirements for the Provision of Social Services

## MB 185 - EAF

## MB 181 - Work – Related Benefits

## MB 178 - Protection Against Discriminatory Practices

## MB 175 - Caseload and Supervisory Standards

## MB 169 - Requirements Applicable to Fraud Cases

## MB 137b - Disclosure of Information

## MB 134 - Standard of Need

## MB 128 - Fair Hearings

- MB 91b - Determination of Initial and Continuing Eligibility for Public Assistance or Care

## MB 90h - Official Releases

## MB 26a - Restoring Employables to Self-Support

- MB 17h - Distribution of Informational Pamphlets and Notification to Applicants and Recipients of Public Assistance and Care



# SECURITIES OFFERINGS

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## STATE NOTICES

Published pursuant to provisions of General Business Law  
[Art. 23-A, § 359-e(2)]

## DEALERS; BROKERS

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1000HL LLC  
164 Market St., Charleston, SC 29401  
*State or country in which incorporated* — South Carolina

1069 CC LLC  
164 Market St., Suite 202, Charleston, SC 29401  
*State or country in which incorporated* — South Carolina

BlackRock Investments, LLC  
40 East 52nd Street New York, NY 10022  
*State or country in which incorporated* — Delaware  
*Partnership* —

Centerwest SPE LLC  
16150 SW Upper Boones Ferry Rd., Portland, OR 97224  
*State or country in which incorporated* — Delaware

CommonWealth Equity Partners Fund I, LP  
614 Fountain Ave., Lancaster, PA 17601  
*Partnership* — CommonWealth Equity Partners, LLC

CyberDyme, Inc.  
5900 Sepulveda Blvd., Suite 360, Sherman Oaks, CA 91411  
*State or country in which incorporated* — Delaware

Elmhurst Summit, LP  
One Bigelow Sq., Suite 630, Pittsburgh, PA 15219  
*State or country in which incorporated* — Pennsylvania

Enalare TheraPeutics Inc.  
161 Hodge Road, Princeton, NJ 08540  
*State or country in which incorporated* — Delaware

Energea Portfolio 2 LLC  
35 Noble St., Brooklyn, NY 11222  
*State or country in which incorporated* — Delaware

Good Earth Organics, Inc.  
30088 Redwood Hwy., Cave Junction, OR 97523  
*State or country in which incorporated* — Delaware

Headgum, Inc.  
1920 Hillhurst Ave., #1146, Los Angeles, CA 90027  
*State or country in which incorporated* — Delaware

Hornet Corporation  
111 Imperial Blvd., Bldg. D100, Hendersonville TN 37075  
*State or country in which incorporated* — Tennessee

Janney Montgomery Scott LLC  
1475 Peachtree St. NE, Suite 800, Atlanta, GA 30309  
*State or country in which incorporated* — Delaware

Jewel Fund, L.P., The  
757 Third Ave., 20th Fl., New York, NY 10017-2046  
*Partnership* — Jewel GP, LLC

JLP Quantitative Market Neutral Fund LP  
c/o Phoenix Capital Management LLC, 420 Lexington Ave., Suite  
2040, New York, NY 10170  
*Partnership* — Phoenix Capital Management LLC

KV Catalyst EV1, LLC  
2373 Broadway, Apt 1621, New York, NY 10024  
*State or country in which incorporated* — Delaware

Lime Rock Group LLC  
70 Seaview Ave., Stamford CT 06902  
*State or country in which incorporated* — Connecticut

MagnoHa Mano, Apartments LLC  
135 Rockaway Tpk., Suite 105, Lawrence, NY 11559  
*State or country in which incorporated* — Alabama

Nutraufe Biosciences, Inc.  
6601 Lyons Rd., L-6, Coconut Creek, FL 33073  
*State or country in which incorporated* — Florida

Oaks 140 LLC  
633 E. Fernhurst Dr., Katy, TX 77450  
*State or country in which incorporated* — Texas

Parkside II LLC  
3001 W. Hallandale Beach Blvd., Suite 300, Pembroke Park, FL 33009  
*State or country in which incorporated* — Florida

Puerto Verde Opportunity, LLC  
875 Carretera 693, Suite 103 Dorado PR 00646  
*State or country in which incorporated* — Puerto Rico

ReseNoir QOF LLC  
c/o SU Capital, 4242 Six Forks Road, Suite 820, Raleigh, NC 27609  
*State or country in which incorporated* — Delaware

Snow Capital Investment Partners, L.P.  
1605 Carmody Court, Suite 300, Sewickley, PA 15143  
*Partnership* — Snow Capital Management, LLC, general partner

Talbert Capital Preferred Income Fund, LP  
c/o Talbert Capital LLC, 2369 Delamere Dr., Cleveland Heights, OH  
44106  
*Partnership* — Talbert Capital LLC



Telecure Technologies, Inc.  
885 W. Georgia St., Suite 2200, Vancouver, British Columbia V6C  
3E8, Canada  
*State or country in which incorporated* — Canada

XCraft Enterprises LLC  
418 Lakeside Ave., Suite 8, Coeur D'alene, ID 83814  
*State or country in which incorporated* — Delaware

# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### PROVIDE ABOVEGROUND HOT WATER HEATING LINES/ DOMESTIC WATER HEATERS Altona Correctional Facility Altona, Clinton County

Sealed bids for Project Nos. 45676-H and 45676-E, comprising separate contracts for HVAC Work and Electrical Work, Provide Aboveground Hot Water Heating Lines and Domestic Water Heaters, Altona Correctional Facility, 555 Devils Den Rd, Altona (Clinton County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Correctional Services, until 2:00 p.m. on Wednesday, February 3rd, 2021 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$228,300 for H and \$21,100 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$9,000,000 and \$10,000,000 for H, and between \$250,000 and \$500,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is October 15, 2022.

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of

construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

☒ Project commenced design before January 1, 2020. Not subject to provision.

☐ Project commenced design on or after January 1, 2020. Subject to provision.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for HVAC Work and an overall goal of 8% for MWBE participation, 4% for Minority-Owned Business Enterprises ("MBE") participation and 4% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to [DCPlans@ogs.ny.gov](mailto:DCPlans@ogs.ny.gov), or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj*, Deputy Director  
OGS - Design & Construction Group

**PROVIDE**  
**SALT STORAGE BUILDING**  
 Region 8  
 Holmes, Putnam County

Sealed bids for Project Nos. 46117-C and 46117-E, comprising separate contracts for Construction Work and Electrical Work, Provide Salt Storage Building, Region 8, Putnam County, 106 Ludingtonville Rd., Holmes, NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, February 3, 2021 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$37,500 for C and \$6,800 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for C and between \$50,000 and \$100,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

☒ Project commenced design before January 1, 2020. Not subject to provision.

☐ Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the

Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be by September 3, 2021. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for the C-Trade only. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to [DCPlans@ogs.ny.gov](mailto:DCPlans@ogs.ny.gov), or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewycky*, Deputy Director  
 OGS - Design & Construction Group

# MISCELLANEOUS NOTICES/HEARINGS

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## **Notice of Abandoned Property Received by the State Comptroller**

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

## **NOTICE OF ANNULMENT OF DISSOLUTION OF CERTAIN BUSINESS CORPORATIONS**

Under the Provisions of Section 203-a of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following corporations, which were duly dissolved in the manner prescribed by Section 203-a of the Tax Law, have complied with the provisions of subdivision (7) of Section 203-a of the Tax Law, annulling all of the proceedings theretofore taken for the dissolution of each such corporation. The appropriate entries have been made on the records of the Department of State.

### **COUNTY: BRONX**

ENTITY NAME: DEJA EXPRESS INC.  
REINSTATE: 11/16/20  
DIS BY PROC: 10/27/10

ENTITY NAME: DIAMOND PAINTING & PLASTERING CORP.  
REINSTATE: 12/03/20  
DIS BY PROC: 03/26/03

ENTITY NAME: ORBE CONSTRUCTION CORP.  
REINSTATE: 12/03/20  
DIS BY PROC: 10/26/16

ENTITY NAME: STEADY MUZIK PRODUCTION INC.  
REINSTATE: 11/09/20  
DIS BY PROC: 08/31/16

### **COUNTY: CATTARAUGUS**

ENTITY NAME: POVERTY HILL DEVELOPMENT CORP.  
REINSTATE: 10/08/20  
DIS BY PROC: 06/29/16

### **COUNTY: DUTCHESS**

ENTITY NAME: ELITE AGENCY AND MULTI-SERVICES CORP.  
REINSTATE: 12/11/20  
DIS BY PROC: 10/26/16

### **COUNTY: ERIE**

ENTITY NAME: EARTHCO, INC.  
REINSTATE: 10/20/20  
DIS BY PROC: 10/26/11

ENTITY NAME: SUPERIOR MANAGEMENT SERVICES, INC.  
REINSTATE: 11/20/20  
DIS BY PROC: 10/26/16

### **COUNTY: KINGS**

ENTITY NAME: B&H DEVELOPMENT 1 CORP.  
REINSTATE: 12/16/20  
DIS BY PROC: 08/31/16

ENTITY NAME: CREATIVE CAPITAL ENTERPRISES, INC.  
REINSTATE: 11/05/20  
DIS BY PROC: 04/27/11

ENTITY NAME: D & C FOOD NY, INC.  
REINSTATE: 11/19/20  
DIS BY PROC: 06/29/16

ENTITY NAME: GATEWAY TRADING CORPORATION  
REINSTATE: 12/24/20  
DIS BY PROC: 06/29/16

ENTITY NAME: HAUT BY MP INC.  
REINSTATE: 10/28/20  
DIS BY PROC: 08/31/16

ENTITY NAME: HEALTH FIRST MEDICAL SUPPLIES, INC.  
REINSTATE: 10/02/20  
DIS BY PROC: 10/26/11

ENTITY NAME: HENKANE REALTY CORP.  
REINSTATE: 11/18/20  
DIS BY PROC: 01/25/12

ENTITY NAME: HENRY MANAGEMENT SVS INC  
REINSTATE: 11/12/20  
DIS BY PROC: 10/26/16

ENTITY NAME: HENRY WATTS REAL ESTATE CORPORATION  
REINSTATE: 10/15/20  
DIS BY PROC: 04/25/12

ENTITY NAME: J & E MULTI SERVICES CORP.  
REINSTATE: 11/12/20  
DIS BY PROC: 04/27/11



ENTITY NAME: J & R MAINTENANCE NY INC.  
REINSTATE: 12/28/20  
DIS BY PROC: 06/29/16

ENTITY NAME: MASTER SHEET CO., INC.  
REINSTATE: 12/14/20  
DIS BY PROC: 06/25/03

ENTITY NAME: NY PIZZA CAFE & SPANISH FOOD RESTAURANT CORP.  
REINSTATE: 12/21/20  
DIS BY PROC: 04/27/11

ENTITY NAME: RA 1612 REALTY INC.  
REINSTATE: 10/30/20  
DIS BY PROC: 04/27/11

ENTITY NAME: SMART BUY TRADING INC.  
REINSTATE: 10/02/20  
DIS BY PROC: 04/27/11

ENTITY NAME: STAR CARIBBEAN, INC.  
REINSTATE: 10/16/20  
DIS BY PROC: 06/26/96

ENTITY NAME: ZEV GER INC.  
REINSTATE: 12/10/20  
DIS BY PROC: 01/26/11

ENTITY NAME: 2828 STILLWELL HOLDING, CORP.  
REINSTATE: 11/17/20  
DIS BY PROC: 10/27/10

**COUNTY: MONROE**

ENTITY NAME: DB VENTURES, INC.  
REINSTATE: 11/03/20  
DIS BY PROC: 10/28/09

ENTITY NAME: MARCHAND ELECTRONICS INC.  
REINSTATE: 10/30/20  
DIS BY PROC: 10/26/16

**COUNTY: MONTGOMERY**

ENTITY NAME: OKB, INC.  
REINSTATE: 10/07/20  
DIS BY PROC: 10/26/16

**COUNTY: NASSAU**

ENTITY NAME: AMBIANCE GLOBAL INC.  
REINSTATE: 12/01/20  
DIS BY PROC: 04/25/12

ENTITY NAME: C & K REALTY OF NY INC.  
REINSTATE: 10/16/20  
DIS BY PROC: 07/28/10

ENTITY NAME: CENTRAL ELECTRONICS INC.  
REINSTATE: 10/02/20  
DIS BY PROC: 04/27/11

ENTITY NAME: COMMANDER TRANSPORT, INC.  
REINSTATE: 12/28/20  
DIS BY PROC: 10/27/10

ENTITY NAME: CSM TRI-STATE CORP.  
REINSTATE: 10/28/20  
DIS BY PROC: 10/26/16

ENTITY NAME: HAWK LEASING CORP.  
REINSTATE: 12/11/20  
DIS BY PROC: 08/31/16

ENTITY NAME: HEALTHNORTH INC.  
REINSTATE: 12/10/20  
DIS BY PROC: 10/26/11

ENTITY NAME: JBJ REALTY CORPORATION  
REINSTATE: 12/10/20  
DIS BY PROC: 12/26/01

ENTITY NAME: JUNIPER HOMES ENTERPRISES CORP.  
REINSTATE: 10/23/20  
DIS BY PROC: 04/27/11

ENTITY NAME: JUNIPER HOMES ENTERPRISES CORP.  
REINSTATE: 10/26/20  
DIS BY PROC: 04/27/11

ENTITY NAME: PURE REAL ESTATE, INC.  
REINSTATE: 11/12/20  
DIS BY PROC: 01/25/12

ENTITY NAME: SAHIB INCORPORATED  
REINSTATE: 12/28/20  
DIS BY PROC: 08/31/16

ENTITY NAME: THE MARSALGIA GROUP INC.  
REINSTATE: 10/21/20  
DIS BY PROC: 08/31/16

ENTITY NAME: TOD GROMAN, P.C.  
REINSTATE: 11/12/20  
DIS BY PROC: 06/29/16

ENTITY NAME: WISE E SOLUTIONS INC.  
REINSTATE: 12/16/20  
DIS BY PROC: 10/26/16

**COUNTY: NEW YORK**

ENTITY NAME: AURAVISION, INC.  
REINSTATE: 10/09/20  
DIS BY PROC: 10/26/11

ENTITY NAME: DOWN AH YARD PRODUCTIONS, INC.  
REINSTATE: 12/11/20  
DIS BY PROC: 07/27/11

ENTITY NAME: EDDYVILLE CORP.  
REINSTATE: 10/07/20  
DIS BY PROC: 07/28/10

ENTITY NAME: F.M. GROOVE, INC.  
REINSTATE: 11/12/20  
DIS BY PROC: 06/29/16

ENTITY NAME: JESS KIMBALL, INC.  
REINSTATE: 12/03/20  
DIS BY PROC: 08/31/16

ENTITY NAME: LAW OFFICE OF ROBERT JAY GUMENICK, P.C.  
REINSTATE: 10/02/20  
DIS BY PROC: 01/26/11

ENTITY NAME: LJ WIRELESS INC.  
REINSTATE: 11/20/20  
DIS BY PROC: 10/26/16

ENTITY NAME: MID-ATLANTIC, INC.  
REINSTATE: 10/30/20  
DIS BY PROC: 12/26/01

ENTITY NAME: MODIV JEWELRY CORP.  
REINSTATE: 10/08/20  
DIS BY PROC: 01/26/11

ENTITY NAME: SAHARA EAST RESTAURANT CORP.  
REINSTATE: 12/16/20  
DIS BY PROC: 01/26/11

ENTITY NAME: UNIQUEST, INC.  
REINSTATE: 11/30/20  
DIS BY PROC: 10/27/10

**COUNTY: ONEIDA**

ENTITY NAME: HOUSE OF GARRAMONE'S, INC.  
REINSTATE: 10/20/20  
DIS BY PROC: 12/29/82

**COUNTY: ONONDAGA**

ENTITY NAME: C. & T. SHELLEY ENTERPRISES, INC.  
REINSTATE: 10/06/20  
DIS BY PROC: 10/26/16

ENTITY NAME: LIBERTY COLLISION GROUP, INC.  
REINSTATE: 11/13/20  
DIS BY PROC: 06/29/16

**COUNTY: ORANGE**

ENTITY NAME: EIZER LEUDUM INC.  
REINSTATE: 10/27/20  
DIS BY PROC: 08/31/16

ENTITY NAME: FUGUEWARE, LTD.  
REINSTATE: 12/14/20  
DIS BY PROC: 06/29/16

ENTITY NAME: KIDS' DOC MEDICAL SERVICES, P.C.  
REINSTATE: 10/19/20  
DIS BY PROC: 06/29/16

ENTITY NAME: QUALITY MAINTENANCE SERVICES INC.  
REINSTATE: 11/09/20  
DIS BY PROC: 01/26/11

ENTITY NAME: RESEARCH GROUP OF ORANGE COUNTY, INC.  
REINSTATE: 12/21/20  
DIS BY PROC: 10/27/10

ENTITY NAME: TEAM ENVIRONMENTAL CONSULTANTS, INC.  
REINSTATE: 10/09/20  
DIS BY PROC: 04/27/11

**COUNTY: PUTNAM**

ENTITY NAME: CAPONE SERVICING, INC.  
REINSTATE: 12/10/20  
DIS BY PROC: 08/31/16

**COUNTY: QUEENS**

ENTITY NAME: A Z LIMO INC  
REINSTATE: 11/20/20  
DIS BY PROC: 08/31/16

ENTITY NAME: BARAKA 135 CORP.  
REINSTATE: 12/15/20  
DIS BY PROC: 01/27/10

ENTITY NAME: BEL-AIR REALTY CORP.  
REINSTATE: 11/17/20  
DIS BY PROC: 10/26/16

ENTITY NAME: CHEN CHEN REALTY INC.  
REINSTATE: 12/03/20  
DIS BY PROC: 10/26/16

ENTITY NAME: DENTOFF INC  
REINSTATE: 12/04/20  
DIS BY PROC: 08/31/16

ENTITY NAME: EL PILON BROTHER'S CORP.  
REINSTATE: 10/16/20  
DIS BY PROC: 04/27/11

ENTITY NAME: ENVIRO PAPER & SANITARY SUPPLY INC.  
REINSTATE: 10/14/20  
DIS BY PROC: 08/31/16

ENTITY NAME: GIO WINE & SPIRITS CORP.  
REINSTATE: 10/05/20  
DIS BY PROC: 07/27/11

ENTITY NAME: JAC DRIVING SCHOOL CORP.  
REINSTATE: 12/30/20  
DIS BY PROC: 07/29/09

ENTITY NAME: NY LIMO TRIP CORP.  
REINSTATE: 10/02/20  
DIS BY PROC: 10/26/16

ENTITY NAME: PORTOCARRERO PAINTING INC.  
REINSTATE: 12/29/20  
DIS BY PROC: 10/28/09

ENTITY NAME: THE VASSOS LAW FIRM, P.C.  
REINSTATE: 10/06/20  
DIS BY PROC: 07/27/11

ENTITY NAME: 159-36 81ST STREET REALTY CORP.  
REINSTATE: 10/07/20  
DIS BY PROC: 08/31/16

ENTITY NAME: 63-45 WETHEROLE CORP.  
REINSTATE: 10/02/20  
DIS BY PROC: 01/27/10

**COUNTY: ROCKLAND**

ENTITY NAME: SANTIAGO WORLDWIDE, INC.  
REINSTATE: 12/28/20  
DIS BY PROC: 06/29/16

ENTITY NAME: SET YOUR TABLE, INC.  
REINSTATE: 10/02/20  
DIS BY PROC: 07/27/11

**COUNTY: SARATOGA**

ENTITY NAME: IVR CLINICAL CONCEPTS INC.  
REINSTATE: 11/25/20  
DIS BY PROC: 10/26/16

**COUNTY: STEUBEN**

ENTITY NAME: CUTLERS', INC.  
REINSTATE: 12/01/20  
DIS BY PROC: 08/31/16

**COUNTY: SUFFOLK**

ENTITY NAME: ARARAT SPRINGS, INC.  
REINSTATE: 11/16/20  
DIS BY PROC: 06/30/04

ENTITY NAME: EZ BUY USED CARS CORP.  
REINSTATE: 11/06/20  
DIS BY PROC: 01/26/11

ENTITY NAME: FMS INDUSTRIES INC.  
REINSTATE: 10/19/20  
DIS BY PROC: 10/26/16

ENTITY NAME: NEW VIEW TRUCKING INC.  
REINSTATE: 12/22/20  
DIS BY PROC: 07/27/11

ENTITY NAME: PEPSEAL'S CONTRACTOR INC.  
REINSTATE: 10/29/20  
DIS BY PROC: 08/31/16

ENTITY NAME: PTM AUTO BODY, INC.  
REINSTATE: 10/20/20  
DIS BY PROC: 04/29/09

ENTITY NAME: TERRACES-ON-THE-SOUND PROPERTY OWNERS ASSOCIATION, INC.  
REINSTATE: 10/21/20  
DIS BY PROC: 06/23/93

ENTITY NAME: VENUS BUKEY REALTY, INC.  
REINSTATE: 10/20/20  
DIS BY PROC: 07/28/10

**COUNTY: SULLIVAN**

ENTITY NAME: MR REALTY GROUP CORP.  
REINSTATE: 11/25/20  
DIS BY PROC: 04/27/11

**COUNTY: WARREN**

ENTITY NAME: HERITAGE LANE, INC.  
REINSTATE: 12/22/20  
DIS BY PROC: 07/27/11

ENTITY NAME: VONTECK ENTERPRISES INC.  
REINSTATE: 11/27/20  
DIS BY PROC: 01/25/12

**COUNTY: WESTCHESTER**

ENTITY NAME: BODY ELITE, LTD.  
REINSTATE: 11/17/20  
DIS BY PROC: 06/27/01

ENTITY NAME: L&M LUNCHEONETTE, INC.  
REINSTATE: 10/06/20  
DIS BY PROC: 12/24/97

ENTITY NAME: LUCARIELLO INC.  
REINSTATE: 10/15/20  
DIS BY PROC: 01/27/10

ENTITY NAME: PAULINE DONTINO & ASSOCIATES INC.  
REINSTATE: 11/24/20  
DIS BY PROC: 07/28/10

ENTITY NAME: 14 LOCUST HILL CORP.  
REINSTATE: 10/09/20  
DIS BY PROC: 08/31/16

**NOTICE OF ERRONEOUS INCLUSION  
IN DISSOLUTION BY PROCLAMATION OF  
CERTAIN BUSINESS CORPORATIONS**

Under the Provisions of Section 203-a of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following corporations were erroneously included in proclamations declaring certain business corporations dissolved. The State Tax Commission has duly certified to the Secretary of State that the names of these corporations were erroneously included in such proclamations. The appropriate entries have been made on the records of the Department of State.

**COUNTY: KINGS**

ENTITY NAME: EDEN FAST CASH ATM INC.  
REINSTATE: 10/23/20  
DIS BY PROC: 10/26/16

**COUNTY: NASSAU**

ENTITY NAME: PAIN MEDICINE ASSOCIATE, P.C.  
REINSTATE: 10/07/20  
DIS BY PROC: 10/26/16

ENTITY NAME: THE TWO R AND D GROUP, INC.  
REINSTATE: 10/13/20  
DIS BY PROC: 06/29/16

**COUNTY: NEW YORK**

ENTITY NAME: LI FASHION GROUP INC.  
REINSTATE: 10/21/20  
DIS BY PROC: 10/26/16

**COUNTY: QUEENS**

ENTITY NAME: BENVEBENOT, INC.  
REINSTATE: 12/03/20  
DIS BY PROC: 01/27/10

**NOTICE OF ERRONEOUS INCLUSION  
IN ANNULMENT OF AUTHORITY OF  
CERTAIN FOREIGN CORPORATIONS**

Under the Provisions of Section 203-b of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following foreign corporations were erroneously included in proclamations declaring their authority to do business in this state annulled. The State Tax Commission has duly certified to the Secretary of State that the names of the following foreign corporations were erroneously included in such proclamations. The appropriate entries have been made on the records of the Department of State.

**COUNTY: ALBANY**

ENTITY NAME: THE OLIVER SPRINKLER CO., INC.  
 JURIS: PENNSYLVANIA  
 REINSTATE: 10/13/20  
 ANNUL OF AUTH: 08/31/16

**COUNTY: NEW YORK**

ENTITY NAME: COSTELLO DISMANTLING COMPANY, INC.  
 JURIS: MASSACHUSETTS  
 REINSTATE: 12/16/20  
 ANNUL OF AUTH: 10/27/10

ENTITY NAME: FRITO-LAY, INC.  
 JURIS: DELAWARE  
 REINSTATE: 12/24/20  
 ANNUL OF AUTH: 06/29/16

ENTITY NAME: MIDLAND TRANSPORT, INC.  
 JURIS: MAINE  
 REINSTATE: 12/18/20  
 ANNUL OF AUTH: 06/29/16

ENTITY NAME: YORKSHEEN PROPERTIES LIMITED  
 JURIS: BRITISH VIRGIN ISLANDS  
 REINSTATE: 10/23/20  
 ANNUL OF AUTH: 06/27/01

**NOTICE OF CANCELLATION  
 OF ANNULMENT OF AUTHORITY OF  
 CERTAIN FOREIGN CORPORATIONS**

Under the Provisions of Section 203-b of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following foreign corporations, which had their authority to do business in this state annulled in the manner prescribed by Section 203-b of the Tax Law, have complied with the provisions of subdivision(7) of Section 203-b of the Tax Law, annulling all of the proceedings theretofore taken for the annulment of authority of each such corporation. The appropriate entries have been made on the records of the Department of State.

**COUNTY: ALBANY**

ENTITY NAME: BEEHIVE INSURANCE AGENCY INC  
 JURIS: UTAH  
 REINSTATE: 12/03/20  
 ANNUL OF AUTH: 10/26/16

ENTITY NAME: GALENA BIOPHARMA, INC.  
 JURIS: DELAWARE  
 REINSTATE: 12/15/20  
 ANNUL OF AUTH: 10/26/16

**COUNTY: BRONX**

ENTITY NAME: RITTMAN INC.  
 JURIS: OHIO  
 REINSTATE: 11/25/20  
 ANNUL OF AUTH: 03/28/01

**COUNTY: ERIE**

ENTITY NAME: H.E.I.  
 FICT NAME: I.E.H.  
 JURIS: NEVADA  
 REINSTATE: 10/28/20  
 ANNUL OF AUTH: 01/25/12

**COUNTY: NASSAU**

ENTITY NAME: SKLOVER BENEFITS GROUP, INC.  
 JURIS: CONNECTICUT  
 REINSTATE: 10/05/20  
 ANNUL OF AUTH: 08/31/16

**COUNTY: NEW YORK**

ENTITY NAME: LARGAY TRAVEL, INC.  
 JURIS: CONNECTICUT  
 REINSTATE: 10/28/20  
 ANNUL OF AUTH: 10/26/16

ENTITY NAME: MEDPRO RISK RETENTION SERVICES, INC.  
 JURIS: INDIANA  
 REINSTATE: 11/04/20  
 ANNUL OF AUTH: 10/26/16

ENTITY NAME: QLOO INC.  
 JURIS: DELAWARE  
 REINSTATE: 10/14/20  
 ANNUL OF AUTH: 08/31/16

ENTITY NAME: START UP 271 AS  
 JURIS: NORWAY  
 REINSTATE: 10/27/20  
 ANNUL OF AUTH: 10/26/16

ENTITY NAME: THE BENECON GROUP, INC.  
 JURIS: PENNSYLVANIA  
 REINSTATE: 10/27/20  
 ANNUL OF AUTH: 10/26/16

ENTITY NAME: 407994 ONTARIO LIMITED  
 JURIS: CANADA  
 REINSTATE: 11/12/20  
 ANNUL OF AUTH: 06/29/16

**COUNTY: ORANGE**

ENTITY NAME: ATLANTIC POLYMERS GROUP INCORPORATED  
 JURIS: DELAWARE  
 REINSTATE: 10/27/20  
 ANNUL OF AUTH: 07/27/11

**COUNTY: QUEENS**

ENTITY NAME: AIR JAMAICA HOLDINGS LIMITED  
 JURIS: JAMAICA  
 REINSTATE: 10/05/20  
 ANNUL OF AUTH: 10/26/11

ENTITY NAME: ECI ENGINEERING SERVICES, P.C.  
 JURIS: MONTANA  
 REINSTATE: 12/21/20  
 ANNUL OF AUTH: 08/31/16

**COUNTY: RENSSELAER**

ENTITY NAME: K.I.T. TRANSPORTATION, INC.  
 JURIS: NEVADA  
 REINSTATE: 10/01/20  
 ANNUL OF AUTH: 12/29/04



**COUNTY: WESTCHESTER**

ENTITY NAME: CONCETTI CONTRACTING, INC.  
 JURIS: DELAWARE  
 REINSTATE: 10/30/20  
 ANNUL OF AUTH: 10/26/16

**NOTICE OF  
PUBLIC HEARING**  
 Hudson River Park Trust

Pursuant to Section 7(6) of the Hudson River Park Act for proposed Significant Actions affecting Hudson River Park, the Hudson River Park Trust hereby gives notice of a public hearing and comment period to consider a proposed new 30-year-term lease agreement between the Trust and Intrepid Museum Foundation, a not-for-profit corporation, for the continued use by the Intrepid of the Pier 86 Premises.

A virtual public hearing will be held on February 17, 2021 from 4:00 pm to 6:00 pm for the public to provide comments on the proposed lease agreement.

A copy of the proposed lease agreement, a detailed public notice and instructions for accessing the virtual public hearing are available at <https://hudsonriverpark.org/activities/intrepid-2>.

For further information, contact: Nicole Cuttino, Deputy General Counsel, Hudson River Park Trust, Pier 40, 353 West Street, Rm. 201, New York, NY 10014, (212) 627-2020, [ncuttino@hrpt.ny.gov](mailto:ncuttino@hrpt.ny.gov)

**NOTICE OF  
PUBLIC HEARING**  
 Susquehanna River Basin Commission

**SUMMARY:** The Susquehanna River Basin Commission will hold a public hearing on February 4, 2021. Due to the COVID-19 situation and the relevant orders in place in the Commission's member jurisdictions, the Commission will hold this hearing telephonically. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for March 12, 2021, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The Commission will also hear testimony on its draft Comprehensive Plan during this hearing.

**DATES:** The public hearing will convene on February 4, 2021, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments on the list of projects subject to action and the Comprehensive Plan is February 19, 2021.

**ADDRESSES:** This hearing will be held by telephone rather than at a physical location. Conference Call # 1-888-387-8686, the Conference Room Code # 9179686050.

**FOR FURTHER INFORMATION CONTACT:** Jason Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents and the draft Comprehensive Plan are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf](http://www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf).

**SUPPLEMENTARY INFORMATION:**

On December 16, 2020, the Susquehanna River Basin Commission released for public review and comment a proposed 2021 Update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. As part of the public comment process, the Commission will receive testimony on the updated Comprehensive Plan. The pub-

lic hearing will be held on February 4, 2021 at 2:30 pm. This hearing will be held by telephone rather than at a physical location. The conference call number is 1-888-387-8686, and the conference room code is 9179686050. Written comments may also be submitted at any time during the public comment period, which ends on February 19, 2021.

The public hearing will also cover the following projects.

**Projects Scheduled for Action:**

1. Project Sponsor and Facility: Beech Resources, LLC (Lycoming Creek), Lycoming Township, Lycoming County, Pa. Application for surface water withdrawal of up to 1.500 mgd (peak day).
2. Project Sponsor and Facility: Geneva Farm Golf Course, Inc., Dublin District, Harford County, Md. Application for renewal of consumptive use of up to 0.099 mgd (30 day average).
3. Project Sponsor and Facility: Greenfield Township Municipal Authority, Greenfield Township, Blair County, Pa. Application for groundwater withdrawal of up to 0.499 mgd (30-day average) from Well PW-4.
4. Project Sponsor and Facility: Hastings Municipal Authority, Elder Township, Cambria County, Pa. Application for groundwater withdrawal of up to 0.260 mgd (30-day average) from Mine Spring Well 1.
5. Project Sponsor and Facility: Montgomery Water Authority, Clinton Township, Lycoming County, Pa. Application for renewal of groundwater withdrawal of up to 0.220 mgd (30-day average) from Well 3.
6. Project Sponsor and Facility: Renovo Energy Center LLC, Renovo Borough, Clinton County, Pa. Modification to extend the project commencement date of the approval.
7. Project Sponsor and Facility: Village of Sidney, Town of Sidney, Delaware County, N.Y. Modification to extend the approval term of the groundwater withdrawal approval (Docket No. 19860201) to provide time for development of a replacement source for existing Well 2 88.
8. Project Sponsor: SUEZ Water Pennsylvania Inc. Project Facility: Dallas Operation, Dallas Township, Luzerne County, Pa. Application for renewal of groundwater withdrawal of up to 0.168 mgd (30-day average) from the Schooley Well.
9. Project Sponsor and Facility: Upstate Niagara Cooperative, Inc., Town of Campbell, Steuben County, N.Y. Applications for groundwater withdrawals (30 day averages) of up to 0.510 mgd from Well 1 and renewal of up to 1.100 mgd from Well 4.
10. Project Sponsor: Weaverland Valley Authority. Project Facility: Blue Ball Water System, East Earl Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Well 4.

**Commission-Initiated Project Approval Modification:**

1. Project Sponsor and Facility: Empire Kosher Poultry, Inc., Walker Township, Juniata County, Pa. Conforming the grandfathered amount with the forthcoming determination for consumptive use of up to 0.049 mgd (30-day average).

**Opportunity to Appear and Comment:**

Interested parties may call into the hearing to offer comments to the Commission on any business listed above required to be subject of a public hearing. Given the telephonic nature of the meeting, the Commission strongly encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at [joyler@srbc.net](mailto:joyler@srbc.net) prior to the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing via telephone will begin at 2:15 p.m. Guidelines for the public hearing are posted on the Commission's website, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any business listed above required to be subject of a public hearing may also be mailed to Mr. Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through <https://www.srbc.net/regulatory/public-comment/>. Comments mailed or electronically submitted on the list of

projects and the draft Comprehensive Plan must be received by the Commission on or before February 19, 2021 to be considered.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: January 6, 2021

Jason E. Oyler

General Counsel and Secretary to the Commission.

## **PUBLIC NOTICE**

Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for February 2021 will be conducted on February 10 and February 11 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at <https://www.cs.ny.gov/commission/>.

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. One, Albany, NY 12239, (518) 473-6598

## **PUBLIC NOTICE**

Division of Criminal Justice Services  
DNA Subcommittee

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State DNA Subcommittee to be held on:

Date: February 5, 2021

Time: 10:00 a.m. - 12:00 p.m.

Video Conference Only:

The webcast information for this meeting will be posted on the Division of Criminal Justice website under the Newsroom, Open Meeting/Webcasts.

<https://www.criminaljustice.ny.gov/pio/openmeetings.htm>

## **PUBLIC NOTICE**

Department of State  
F-2020-0670

Date of Issuance – January 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0670, Consolidated Edison Company of New York, Inc. proposes to microtunnel two new 13kW electrical feeder cable crossings underneath the Harlem River between Inwood and Fordham Manor, connecting the Riverdale network to the Sherman Creek Substation using a two phased (Phase 1 and Phase 2) approach to increase electrical capacity and ensure system reliability for the NYC electrical grid.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/F-2020-0670PNMaterial>

Any interested parties and/or agencies desiring to express their

views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice or February 11, 2021.

Comments should be addressed to: Department of State, Office of Planning, Development and Community Infrastructure, ATTN: Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov)

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

## **PUBLIC NOTICE**

Department of State  
F-2020-0877

Date of Issuance – January 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2020-0874-Jared Bartholomew-proposes the installation of a new boat lift, as well as an additional 6' x 20' float. Install a 6' x 12' 8" jet ski float. Catwalk Extension: The applicant proposes to extend the elevated fixed catwalk to a total length of 215 ft. Proposed seaward extension of the catwalk is necessary in order to reach a sufficient water depth (-3.0' MLW) required for the boat lift and vessel of this size.

Town of Brookhaven, Suffolk County, Hart Cove

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0877ConsistencyCert.pdf>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or February 11, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov)

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

## **PUBLIC NOTICE**

Department of State  
F-2020-0918

Date of Issuance – January 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0918 or the "4 Frank Court-Proposed Dock/Shoreline Stabilization", the applicant Janusz Grazda, is proposing to install approximately 50 linear feet of native-stone rip-rap shoreline to replace

the concrete debris to prevent erosion and stabilize the uplands. Install 50-foot long fixed pier with 8'x8' platform, aluminum ramp, and 493 sf floating dock with tie-off piles to access suitable depth for use of Plum Beach Channel. The proposed location of the project is at 4 Frank Court, Brooklyn, Kings County, Plum Beach Channel.

The applicant's consistency certification and supporting information are available for review at: [http://www.dos.ny.gov/opd/programs/pdfs/F-2020-0918\\_Janusz\\_Grazda\\_APP.pdf](http://www.dos.ny.gov/opd/programs/pdfs/F-2020-0918_Janusz_Grazda_APP.pdf)

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- New York City Local Waterfront Revitalization Program: [https://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP\\_status.html](https://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html);

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or February 26, 2021

*Comments should be addressed to:* Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

## PUBLIC NOTICE

Department of State

F-2020-0979

Date of Issuance – January 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0979, Mr. Donald Lippencott, is proposing to remove 125 cubic yards of placed fill to bring grade to marsh elevation, replant the new grade with native marsh plants to decrease erosion of shoreline. Proposal involves a construction of a 142 ft timber walk, a 25 ft aluminum ramp, and an 8 ft x 16 ft kayak float, construction of an 8 ft x 2 ft low boulder revetment with 150-1,500 lb. stone to stabilize an eroding area at the landward end of the proposed kayak launch. Proposed project is located in Brookhaven, Suffolk County, Setauket Harbor.

The applicant's consistency certification and supporting information are available for review at: [http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0979\\_Donald\\_Lippencott\\_App.pdf](http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0979_Donald_Lippencott_App.pdf)

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Conscience Bay Little Bay Setauket Harbor Significant Coastal Fish and Wildlife Habitat: [https://www.dos.ny.gov/opd/programs/consistency/Habitats/LongIsland/Conscience\\_Bay\\_Little\\_Bay\\_Setauket\\_Harbor.pdf](https://www.dos.ny.gov/opd/programs/consistency/Habitats/LongIsland/Conscience_Bay_Little_Bay_Setauket_Harbor.pdf)

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or February 26, 2021.

*Comments should be addressed to:* Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

## PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2021-0001 Matter of Woodhull Expediting, Amy Devito, 1031 Main Street, Port Jefferson, NY 11777, for a variance concerning safety requirements, including the required ceiling height and required height under a girder/soffit. Involved is an existing one-family dwelling located at Seven Autumn Court, East Patchogue, Town of Brookhaven, NY 11772, County of Suffolk, State of New York.

2021-0002 Matter of Nassau Expeditors Inc., Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning safety requirements, including the required ceiling height and required height under a girder/soffit. Involved is an existing one-family dwelling located at 22 Driftwood Drive, Village of Port Washington, NY 11050, County of Nassau, State of New York.

2021-0003 Matter of Bozzetto E. DPC, Franz Seborga, 331 Willis Avenue, Mineola, NY 11501, for a variance concerning safety requirements, including required height under a girder/soffit. Involved is an existing one-family dwelling located at 181 Lowell Avenue, Village of Floral Park, NY 11001, County of Nassau, State of New York.

2021-0005 Matter of Todd O'Connell Architects P.C., Todd O'Connell, 1200 Veterans Hwy., Suite 120, Hauppauge, NY 11788, for a variance concerning safety requirements, including the required ceiling height and required height under a girder/soffit. Involved is an existing one-family dwelling located at 26 Aerie Court, Manhasset, Village of North Hills, NY 11030, County of Nassau, State of New York.

## PUBLIC NOTICE

Susquehanna River Basin Commission

Grandfathering (GF) Registration Notice

**SUMMARY:** This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

**DATES:** December 1-31, 2020.

**ADDRESSES:** Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

**FOR FURTHER INFORMATION CONTACT:** Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: [joyler@srbc.net](mailto:joyler@srbc.net). Regular mail inquiries May be sent to the above address.

**SUPPLEMENTARY INFORMATION:** This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR part 806, Subpart E:

1. First Investors General, Inc. – Cool Creek Golf Club, GF Certificate No. GF-202012136, Hellam Township, York County, Pa.; Kreutz Creek; Issue Date: December 4, 2020.

2. Jersey Shore Area Joint Water Authority – Public Water Supply System, GF Certificate No. GF-202012137, Pine Creek Township, Clinton County, Pa.; Pine Creek Well 1; Issue Date: December 4, 2020.

3. Lycoming County Recreation Authority – White Deer Golf Courses, GF Certificate No. GF-202012138, Brady Township, Lycoming County, Pa.; Well 2 and Irrigation Pond; Issue Date: December 11, 2020.



4. South Middleton Township Municipal Authority – Public Water Supply System, GF Certificate No. GF-202012139, South Middleton Township, Cumberland County, Pa.; Wells 1 and 2; Issue Date: December 14, 2020.

5. Beech Creek Borough Authority – Public Water Supply System, GF Certificate No. GF-202012140, Beech Creek Borough, Clinton County, Pa.; Well 1; Issue Date: December 21, 2020.

6. Borough of Lititz – Public Water Supply System, GF Certificate No. GF-202012141, Lititz Borough, Lancaster County, Pa.; Wells 1, 2, 3, 4, 5, and 6; Issue Date: December 21, 2020.

7. Arendtsville Municipal Authority – Public Water Supply System, GF Certificate No. GF-202012142, Arendtsville Borough and Menallen Township, Adams County, Pa.; Wells 1 and 2; Issue Date: December 21, 2020.

8. Elmira Water Board, GF Certificate No. GF-202012143, City of Elmira, Town of Elmira, Town of Southport, and Town of Horseheads, Chemung County, N.Y.; Chemung River, Hoffman Reservoir, Hudson Street Wellfield (Wells 1A and 2), and Sullivan Street Wellfield (Wells 1 and 2); Issue Date: December 22, 2020.

9. Lake Meade Municipal Authority – Public Water Supply System, GF Certificate No. GF 202012144, Reading Township, Adams County, Pa.; Wells 1 and 2; Issue Date: December 30, 2020.

10. Village of Painted Post – Public Water Supply System, GF Certificate No. GF-202012145, Village of Painted Post, Steuben County, N.Y.; Wells 2, 3, and 4; Issue Date: December 30, 2020.

11. Walden Oaks Country Club, Inc., GF Certificate No. GF-202012146, Town of Cortlandville, Cortland County, N.Y.; Spring-fed Irrigation Ponds; Issue Date: December 30, 2020.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Dated: January 6, 2021

Jason E. Oyler, General Counsel and Secretary to the Commission.

## PUBLIC NOTICE

### Susquehanna River Basin Commission

#### Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: December 1-31, 2020

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22 (e) and 18 CFR § 806.22 (f) for the time period specified above:

Water Source Approval – Issued Under 18 CFR 806.22(e):

1. The Hershey Company; Hazleton Plant; ABR-202012002; Hazle Township, Luzerne County, Pa.; Consumptive Use of Up to 0.0990 mgd; Approval Date: December 11, 2020.

Water Source Approval – Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, L.L.C.; Pad ID: Burkmont Farms; ABR-201012007.R2; Wilnot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 11, 2020.

2. Seneca Resources Company, LLC; Pad ID: Byrne 510; ABR-201009059.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 11, 2020.

3. Cabot Oil & Gas Corporation; Pad ID: Black P1; ABR-20080708.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 11, 2020.

4. Cabot Oil & Gas Corporation; Pad ID: Costello P1; ABR-20080707.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 11, 2020.

5. Cabot Oil & Gas Corporation; Pad ID: Costello P2; ABR-20080804.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 11, 2020.

6. Cabot Oil & Gas Corporation; Pad ID: Lewis P2; ABR-20080802.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 11, 2020.

7. Inflection Energy (PA), LLC; Pad ID: Hensler Well Pad; ABR-201506004.R1; Hepburn Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 11, 2020.

8. Tilden Bradford, LLC; Pad ID: JENKINS 1H; ABR-20100426.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: December 13, 2020.

9. Tilden Bradford, LLC; Pad ID: BEARDSLEE 2H; ABR-201008085.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: December 13, 2020.

10. Tilden Bradford, LLC; Pad ID: Olsyn 1H; ABR-201509004.R1; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: December 13, 2020.

11. Seneca Resources Company, LLC; Pad ID: PHC Pad S; ABR-201009023.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 13, 2020.

12. Chief Oil & Gas, LLC; Pad ID: B & B Investment Group Drilling Pad #1; ABR-201010068.R2; Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: December 13, 2020.

13. Chief Oil & Gas, LLC; Pad ID: Bahl Drilling Pad; ABR-201510007.R1; Forks Township, Sullivan County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: December 13, 2020.

14. Chesapeake Appalachia, L.L.C.; Pad ID: Baltzley; ABR-201012020.R2; Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 13, 2020.

15. ARD Operating, LLC; Pad ID: Gayla D Loch Pad A; ABR-201009083.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 13, 2020.

16. EXCO Resources (PA), LLC; Pad ID: Wistar-Shaffer Tracts Drilling Pad #1; ABR-201009071.R2; Shrewsbury Township, Sullivan County, Pa.; Consumptive Use of Up to 8.0000 mgd; Approval Date: December 13, 2020.

17. Cabot Oil & Gas Corporation; Pad ID: Lewis P1; ABR-20080803.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 13, 2020.

18. Cabot Oil & Gas Corporation; Pad ID: Teel P4; ABR-20080701.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 13, 2020.

19. XTO Energy, Inc.; Pad ID: Lucella 8564H; ABR-201009074.R2; Moreland Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 14, 2020.

20. Chesapeake Appalachia, L.L.C.; Pad ID: DGSM; ABR-201012038.R2; Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 24, 2020.

21. Seneca Resources Company, LLC; Pad ID: SGL 90A Pad; ABR-201008049.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: December 24, 2020.

22. Seneca Resources Company, LLC; Pad ID: Appold 493; ABR-



201008126.R2; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 24, 2020.

23. Pennsylvania General Energy Company, L.L.C.; Pad ID: SUSQ Huckleberry - Pad D; ABR-202012001; Union Township, Tioga County, Pa.; Consumptive Use of Up to 4.5000 mgd; Approval Date: December 24, 2020.

24. Rockdale Marcellus, LLC; Pad ID: Heuer 701; ABR-201010010.R2; Union Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: December 27, 2020.

25. Rockdale Marcellus, LLC; Pad ID: East Point Fish & Game Club 726; ABR-201010014.R2; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: December 27, 2020.

26. Chief Oil & Gas, LLC; Pad ID: Hart North Drilling Pad; ABR-201510006.R1; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: December 27, 2020.

27. BKV Operating, LLC; Pad ID: Shaskas South; ABR-201011022.R2; Jessup Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 27, 2020.

28. BKV Operating, LLC; Pad ID: Baker North; ABR-201012040.R2; Forest Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 27, 2020.

29. Chief Oil & Gas, LLC; Pad ID: M & M Estates; ABR-201011013.R2; Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 27, 2020.

30. Chief Oil & Gas, LLC; Pad ID: PMG God Drilling Pad #1; ABR-201011068.R2; Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: December 27, 2020.

31. Chesapeake Appalachia, L.L.C.; Pad ID: Comstock; ABR-201011053.R2; Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 27, 2020.

32. Chesapeake Appalachia, L.L.C.; Pad ID: Gregory; ABR-201011004.R2; Wysox Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 27, 2020.

33. Chesapeake Appalachia, L.L.C.; Pad ID: Primrose; ABR-201011035.R2; Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: December 27, 2020.

34. SWN Production Company, LLC; Pad ID: Ross Pad; ABR-201009086.R1; Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: December 27, 2020.

35. SWN Production Company, LLC; Pad ID: GU-S ROEHRIG SMITH Pad; ABR-201009085.R1; Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: December 27, 2020.

36. XPR Resources, LLC; Pad ID: Alder Run LP #5H; ABR-201512001.R1; Cooper Township, Clearfield County, Pa.; Consumptive Use of Up to 0.9990 mgd; Approval Date: December 27, 2020.

37. Seneca Resources Company, LLC; Pad ID: Burke 285; ABR-201009096.R2; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 27, 2020.

38. SWN Production Company, LLC; Pad ID: WR-68 Depue Pad; ABR-201009098.R1; Franklin Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 30, 2020.

39. SWN Production Company, LLC; Pad ID: Behrend Pad; ABR-201010031.R1; Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: December 30, 2020.

40. SWN Production Company, LLC; Pad ID: Hollenbeck ABR; ABR-201010017.R1; Franklin Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 30, 2020.

41. Seneca Resources Company, LLC; Pad ID: Patterson 570; ABR-201009097.R2; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 30, 2020.

42. Seneca Resources Company, LLC; Pad ID: Redl 600; ABR-201010013.R2; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 30, 2020.

43. Cabot Oil & Gas Corporation; Pad ID: Daniels Pad; ABR-201010018.R2; Gibson Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 30, 2020.

44. ARD Operating, LLC; Pad ID: Kenneth T Schriener Pad A; ABR-201009107.R2; Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 30, 2020.

45. Repsol Oil & Gas USA, LLC; Pad ID: DECRISTO (05 022) D; ABR-201010026.R2; Warren Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: December 30, 2020.

46. Rockdale Marcellus, LLC; Pad ID: Guindon 706; ABR-201009029.R2; Union Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: December 31, 2020.

47. Cabot Oil & Gas Corporation; Pad ID: MyersR P1; ABR-201511004.R1; Lathrop Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 31, 2020.

48. Cabot Oil & Gas Corporation; Pad ID: StalterD P1; ABR-201011030.R2; Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 31, 2020.

49. Cabot Oil & Gas Corporation; Pad ID: RomeikaJ P1; ABR-201511005.R1; Gibson Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 31, 2020.

50. Cabot Oil & Gas Corporation; Pad ID: JHHC P1; ABR-201511009.R1; Jessup Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: December 31, 2020.

51. Seneca Resources Company, LLC; Pad ID: Smithgall 293; ABR-201010055.R2; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 31, 2020.

52. Seneca Resources Company, LLC; Pad ID: Hudson 575; ABR-201010029.R2; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 31, 2020.

53. Seneca Resources Company, LLC; Pad ID: Westbrook 487; ABR-201010040.R2; Richmond Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 31, 2020.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: January 6, 2021

Jason E. Oyler,

General Counsel and Secretary to the Commission.

# EXECUTIVE ORDERS

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**Executive Order No. 147.41: Amendment to Executive Order 147 - A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 – 147.40 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation and, if warranted, prosecution:

(oo) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to, or in any other way connected with the death of Monica Goods on December 22, 2020, in Ulster County.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty eighth day of December in the year two thousand twenty.

*BY THE GOVERNOR*

/s/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

**Executive Order No. 147.42: Amendment to Executive Order 147 - A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers Executive Order.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 – 147.41 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation and, if warranted, prosecution:

(pp) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to, or in any other way connected with the death of Sofia Gomez on October 8, 2020, in Bronx County.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of January in the year two thousand twenty-one.

*BY THE GOVERNOR*

/s/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

**Executive Order No. 168.44: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester That Incorporate the MTA Region in the State of New York.**

WHEREAS, pursuant to Executive Order No. 168, a disaster has heretofore been declared in the five boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that incorporate the Metropolitan Transportation Authority (MTA) Region in the State of New York due to increasingly constant and continuing failures of the tracks, signals, switches and other transportation infrastructure throughout the system including at Pennsylvania Station located in the County of New York (Penn Station), that have resulted in various subway derailments, extensive track outages, and substantial service disruptions impacting the health and safety of hundreds of thousands of riders;

WHEREAS, the ongoing failures of the tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to pose an imminent threat and have a vast and deleterious impact on the health, safety, and livelihood of commuters, tourists, resident New Yorkers, as well as business and commerce in the Metropolitan Commuter Transportation District (MCTD), which is the recognized economic engine of the State of New York, and thereby have adversely affected the New York State economy;

WHEREAS, the track outages and service disruption necessary to implement the Amtrak Repair Program, and other repairs necessary to fix tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to be necessary to protect the public, health and safety of commuters, tourists, resident New Yorkers, and will continue to worsen the transportation disaster emergency that currently exists due to the condition of Penn Station and the MTA's rail and subway system as a whole; and,

WHEREAS, it continues to be necessary for the MTA and its subsidiaries and affiliates to take significant and immediate action to assist in the repair of the tracks, signals, switches and other transportation infrastructure and in the mediation of such track outages and service disruptions due to this disaster emergency;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby extend the state disaster emergency declared pursuant to Executive Order No. 168 and extend all of the terms, conditions, and directives of Executive Order No. 168 and the terms, conditions, and directives for any extensions of the same for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 168 until January 29, 2021; provided that the temporary suspension of any laws, rules, regulations or guidelines pursuant to this and any future extensions of Executive Order 168 shall apply to the extent the Chairman of the MTA, or his designee, which shall only include the MTA's President or Managing Director, determines it necessary for the purposes of awarding any contracts, leases, licenses, permits or any other written agreement that may be entered into to mitigate such disaster emergency.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of December in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

**Executive Order No. 198.12: Continuing the Declaration of Disaster Emergency in the Counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne.**

WHEREAS, pursuant to Executive Order 198, a disaster was declared within the counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne due to extensive flooding, widespread erosion, and water damage that caused significant damage to homes and other residential structures, businesses, and public infrastructure;

WHEREAS, historic high water levels in Lake Ontario and the St. Lawrence River continue to be of concern as a cause of flooding, widespread erosion, and water damage, which continues to jeopardize infrastructure, coastline structures, natural barriers, and navigation; and

WHEREAS, the Resiliency and Economic Development Initiative Commission identified high-priority projects that were urgently needed, and continued to be needed to protect homes, businesses, and critical infrastructure; to sustainably maintain safe navigation channels; and to address the immediate and long-term resiliency of communities along Lake Ontario and the St. Lawrence River.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue the declaration of the State Disaster Emergency that became effective November 20, 2019, as set forth in Executive Order 198, within the territorial boundaries of the counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne. The provisions set forth in Executive Order 198 and this Executive Order shall continue to remain in effect until June 4, 2021; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the continued implementation of the State Comprehensive Emergency Management Plan and authorize, which was first made effective November 20, 2019, the State Office of Emergency Management, the Department of Health, the Department of Transportation, the Division of State Police, the Division of Military and Naval Affairs, the Department of Environmental Conservation, the Department of Corrections and Community Supervision, the Public Service Commission, the Office of Fire Prevention and Control, the Department of Labor, the Office of Parks, Recreation and Historic Preservation, the Office of General Services, the Thruway Authority, the Division of Homeland Security and Emergency Services, other State agencies as necessary, and the American Red Cross to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this continued disaster; and to provide such other assistance as necessary to protect the public health and safety.

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. 390.23(a)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary to hasten the movement of crews into New York State.

FURTHER, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder, or delay action necessary to address the disaster, hereby temporarily

suspend, for the period from the date of this Executive Order through February 4, 2020, the following laws:

Section 38(1), (2) and (3) of the Highway Law, to the extent that the Commissioner of Transportation determines it necessary to authorize the award of emergency contracts and/or to combine design and construction services in contracts and to use such services when needed;

Section 9(2) and (4) of the Public Buildings Law, to the extent the Commissioner of General Services determines it necessary to authorize the award of emergency contracts and/or to combine design and construction services in contracts and/or to use such contracts and services when needed at a threshold above Six Hundred Thousand Dollars;

Section 97-G of the State Finance Law, to the extent that the Commissioner of General Services or the Commissioner of the Division of Homeland Security and Emergency Services determines it necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services, including but not limited to, building design and construction services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency;

Section 112 of the State Finance Law, to the extent consistent with Article V, Section 1 of the State Constitution, and to the extent that the Commissioner of Transportation, the Commissioner of General Services, or the Commissioner of the Division of Homeland Security and Emergency Services determines it necessary to add additional work, sites, and time to State contracts; to award emergency contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; to award emergency contracts under Section 9 of the Public Buildings Law; to award emergency contracts for professional services under Section 136-a of the State Finance Law; and to award emergency contracts for commodities, services, technology, and materials pursuant to Section 163 of the State Finance Law;

Section 136-a of the State Finance Law, to the extent that the Commissioner of Transportation or the Commissioner of General Services determines it necessary to combine design and construction services in one contract and/or to obtain design and construction inspection services;

Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent of allowing the Commissioner of Transportation, the Commissioner of General Services, or the Commissioner of the Division of Homeland Security and Emergency Services to purchase necessary commodities, services, technology, and materials without following the standard notice and procurement processes;

Article 8 of the Environmental Conservation Law, and Part 15 of Title 17 and Part 617 of Title 6 of the New York Code of Rules and Regulations, to the extent that the Commissioner of Transportation, the Commissioner of General Services, or the Commissioner of the Division of Homeland Security and Emergency Services determines that work is immediately necessary for the replacement, rehabilitation, or reconstruction of structures; and

Part F of Chapter 60 of the Laws of 2015, and Part RRR of Chapter 59 of the Laws of 2017, to the extent of allowing the Commissioner of Transportation or the Commissioner of General Services to award design-build and best value contracts without following the proscribed procurement process.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of January in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

**Executive Order No. 202.83: Continuing Temporary Suspension**



**and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, 202.59, 202.65, and 202.70, as continued and contained in Executive Order 202.76, for another thirty days through January 17, 2021, and hereby temporarily suspend or modify the following from the date of this Executive Order through January 17, 2021:

- Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons. Provided however, that the governing body may, at its option, include in such resolution procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died;
- Notwithstanding any law or regulation to the contrary, health care providers are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirement to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement. In order to protect from liability any person acting reasonably and in good faith under this provision, requirements to maintain medical records;
- Executive Order 202.76, which provided that all suspensions of the Family Court Act shall remain in effect until December 18, 2020, is hereby modified to provide that all suspensions of the Family Court Act shall remain in effect until the expiration of this Executive Order, as extended or modified by future Executive Order.
- Chapter 125 of 2020 enacting the COVID-19 Rent Relief Act to the extent necessary to authorize the payment of rent relief as otherwise provided in such Act, without requiring that a tenant provide proof that they were paying more than 30 percent of gross monthly income towards rent prior to March, 2020.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby is-

sue the following directive for the period from the date of this Executive Order through January 17, 2021:

- The authority of the Commissioner of Taxation and Finance to abate late filing and payment penalties pursuant to section 1145 of the Tax Law is hereby modified as necessary to expand the Commissioner's authority to also authorize the abatement of interest by the Commissioner, for a period of 91 days, for restaurants and other food service establishments that are required to file returns and remit sales and use taxes by December 21, 2020, for the sales tax quarterly period that ended November 30, 2020, and that were required to cease indoor dining by Executive Order 202.81 or by Executive Order 202.68 because they are located in an area that was designated an "orange zone" on December 18, 2020.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this eighteenth day of December in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

**Executive Order No. 202.84: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Order 202.77 for another thirty days through January 22, 2021.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-third day of December in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

**Executive Order No. 202.85: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or



modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202.66, as continued and contained in Executive Order 202.71 and 202.78, for another thirty days through January 26, 2021.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-seventh day of December in the year two thousand twenty.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

#### **Executive Order No. 202.86: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby temporarily suspend or modify the following from the date of this Executive Order through January 27, 2021:

- Sections 6502, 6524, 6905, 6906 and 6910 of the education law and Part 59.8 of Title 8 of the NYCRR to the extent necessary to authorize retired physicians, registered professional nurses, licensed practical nurses, and nurse practitioners licensed to practice and in current good standing in New York State, but not currently registered in New York State, to re-register through use of an expedited automatic registration form developed by the state and to waive any registration fee for the triennial registration period for such registrants;
- Section 12 of the Public Health Law is hereby modified for purposes of permitting the Department to assess the civil penalties established in this Executive Order;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through January 27, 2021:

- To ensure that the State has complete and accurate information about who is receiving the State's currently limited quantity of vaccine, and to inform the State's efforts to understand the regions and communities that are receiving the vaccine, healthcare providers shall require any person who is receiving the vaccine to provide information, including but not limited to an attestation that they are a member of a specific priority group that has been determined by the Department of Health to be eligible for the vaccine, on a form to be determined by the Department of Health. Any licensed healthcare provider who administers the vaccine to an indi-

vidual who has not certified to being a member of a priority group or where such provider otherwise has knowledge that the individual is not a member of the priority group may be subject to civil penalties of up to one million dollars per dose administered and/or the revocation of any state-issued license.

- Notwithstanding any provision of law, nor concurrent resolution of both houses of the legislature to the contrary, the Comptroller shall not increase the rate of salary for any individual serving in the role of Commissioner, whose salary is set in the Executive Law, nor any individual who is holding statewide elected office, and due to be increased on January 1, 2021.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-eighth day of December in the year two thousand twenty.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

#### **Executive Order No. 202.87: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue for thirty days the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect through January 29, 2021.

IN ADDITION, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.31, 202.38, 202.39, 202.40, 202.41, 202.42, 202.43, 202.48, 202.49, 202.50, 202.51, 202.52, 202.55, 202.55.1, 202.56, 202.60, 202.61, 202.62, 202.63, 202.67, 202.68, 202.72, as continued and contained in Executive Order 202.79 for another thirty days through January 29, 2021 and hereby temporarily suspend or modify the following from the date of this Executive Order through January 29, 2021:

- Chapter 89 of the laws of 2020 to the extent necessary to provide that any member otherwise qualified to receive an accidental death benefit under this chapter who dies after December 31, 2020 shall be eligible to receive such benefit;
- Chapter 91 of the laws of 2020 to the extent necessary to provide that the ability of an individual to request an absentee ballot under the terms of such chapter, or chapter 138 of the laws of 2020 shall not expire on December 31, 2020 but shall continue in full force and effect;
- Paragraph (6) of subdivision (b) of part 405.4 of Title 10 of

the NYCRR to the extent necessary to remove limits on working hours for physicians and postgraduate trainees;

- Section 25.30(1)(c) of the Arts and Cultural Affairs Law to the extent that, for purposes of an approved Department of Health demonstration program, an operator or an operator's agent may utilize a paperless ticketing system that only allows a customer to transfer the ticket through the operator or the operator's agent and subject to the terms and conditions set by the operator or the operator's agent provided that a refund shall be offered for such ticket's face value to any customer, subject to the terms and conditions set forth by the operator and consistent with the demonstration program;
- Section 30.30 and Section 190.80 of the criminal procedure law are suspended to the extent necessary to toll any time periods contained therein for the period during which the criminal action is proceeding on the basis of a felony complaint through arraignment on the indictment or on a superior court information and thereafter shall not be tolled.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this 30th day of December in the year two thousand twenty.

BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
Secretary to the Governor

**Executive Order No. 202.88: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, do hereby temporarily suspend or modify the following from the date of this Executive Order through February 3, 2021:

- The modification in Executive Order 202.82 of Section 2168 of the Public Health Law and section 66-1.2 of Title 10 of the NYCRR is continued and modified only insofar as to require all influenza and COVID-19 vaccinations for any individual (child or adult) to be reported to NYSIIS or CIR, as applicable, within 12 hours of administration of such vaccine;
- Section 12 of the Public Health Law is hereby modified to the extent necessary to permit the Department of Health to assess the civil penalties established in this Executive Order;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through February 3, 2021:

- Any healthcare facility, provider, or entity who has been allocated and has received COVID-19 vaccine, or who has received redistributed COVID-19 vaccine, must administer all such vaccine within one week of its receipt by such facility. Any healthcare facility, provider or entity who is not on pace to administer all vaccine must notify the Department of Health on the 5th day after receipt. This will be effective for any vaccine currently on hand at any healthcare facility,

provider or entity as of January 4, 2020, and such remaining doses must be administered no later than January 8, 2020. The failure to administer vaccine in accordance with this process may result in a civil penalty of up to \$100,000, and/or reduction or elimination of future allocations of vaccine. Failure to notify the Department pursuant to this directive may also cause the Department of Health to reduce or eliminate future allocations of vaccine to such facility, provider, or entity.

- The directive contained in Executive Order 202.73 which modified Executive Orders 202.30, and 202.40, requiring testing of nursing home staff as directed by the Commissioner of Health is hereby modified to authorize the Commissioner of Health to set forth testing of all personnel at such facility in any area of the state irrespective of location in a micro-cluster zone as provided in 202.68.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of January in the year two thousand twenty-one.

BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
Secretary to the Governor

**Executive Order No. 205.3: Quarantine Restrictions on Travelers Arriving in New York.**

WHEREAS, on June 24, 2020, I issued Executive Order Number 205, requiring the Commissioner of the Department of Health to issue a travel advisory; and

WHEREAS, Centers for Disease Control guidance regarding quarantine has been modified;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, do hereby order and direct that Executive Order 205.2 is modified only insofar as to require quarantine for a period consistent with Department of Health guidance for all travelers entering New York from a state which is not a contiguous state, or from a country or territory subject to a CDC Level 2 or higher COVID-19 Risk Assessment Level or for which the COVID-19 risk level is designated by the CDC as Unknown, unless such traveler has traveled for less than 24 hours, is deemed an essential worker, or obtains two negative COVID-19 diagnostic test results in accordance with Executive Order 205.2.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of December in the year two thousand twenty.

BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
Secretary to the Governor

**Executive Order No. 207: Declaring a Disaster in the Counties of Albany, Broome, Chenango, Columbia, Delaware, Dutchess, Greene, Montgomery, Orange, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Ulster, Washington and Contiguous Counties.**

WHEREAS, on December 16, 2020, and continuing thereafter, a Nor'easter has impacted New York State, posing an imminent danger to vital public transportation, utility service, public health, and public safety systems within the counties of Albany, Broome, Chenango, Columbia, Delaware, Dutchess, Greene, Montgomery, Orange, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Ulster, Washington, and contiguous counties.

WHEREAS, this winter storm is anticipated to produce snowfall amounts of up to 24 inches, at a rate of up to three inches per hour, wind gusts as high as 40mph, and coastal flooding in low lying areas. These conditions are anticipated to cause widespread power outages and road closures, travel disruptions, and damage to public and private property throughout the impacted areas and will pose a threat to the public health and safety.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby find that a disaster is imminent for which the affected local governments are unable to respond adequately. Therefore, I hereby declare a State Disaster Emergency effective December 17, 2020 within the territorial boundaries of the counties of Albany, Broome, Chenango, Columbia, Delaware, Dutchess, Greene, Montgomery, Orange, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Ulster, Washington, and contiguous counties. This Executive Order shall be in effect through January 16, 2021; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize all necessary agencies to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health, welfare and safety.

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. 390.23(a)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary to ensure that crews can clear vital roadways and hasten the movement of utility power restoration crews into New York State.

FURTHER, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the effectiveness of this Executive Order through January 16, 2021, the following laws:

- Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency;
- Section 112 of the State Finance Law, to the extent consistent with Article V, Section I of the State Constitution, and to the extent necessary to add additional work, sites and time to State contracts;
- Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent of allowing the purchase of necessary commodities, services, technology and materials without following the standard notice and procurement processes.

FURTHER, I hereby temporarily modify, for the period from the date of this Executive Order through January 16, 2021, the following laws:

- Section 24 of the Executive Law; Sections 104 and 346 of the Highway Law; Sections 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; Section 14(16) of the Transportation Law; Sections 6-602 and 17-1706 of the Village Law; Section 20(32) of the General City Law; Section 91 of Second Class Cities Law; Section 19-107(ii) of the New York City Administrative Code; and Section 107.1 of Title 21 of the New York Codes, Rules and Regulations, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles on roads, highways, and streets.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this seventeenth day of December in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

**Executive Order No. 208: Declaring an Emergency in Order to Appoint New Jersey and Connecticut Police Officers as Railroad Police Officers to Provide Enhanced Security on Commuter Trains, Buses, and Ferries.**

WHEREAS, the holiday season is a time of heightened alert and increased risk of terrorist attack as terrorists typically consider significant, symbolic dates when planning attacks, with the objective of inflicting mass casualties and maximizing the economic and psychological damage to the United States, as evidenced by the November 2010 plot to bomb a holiday tree lighting ceremony in Portland, Oregon by a homegrown violent extremist; the December 2010 attack on a market filled with Christmas shoppers in Stockholm, Sweden by a suicide bomber; the December 2010 arrests in the United Kingdom of 12 individuals plotting to conduct attacks during the holiday season; the December 2016 attack in Berlin where a truck was driven into a crowd of people located at the Christmas market next to the Kaiser Wilhelm Memorial Church; the 2016 nightclub attack in Istanbul that left 39 people dead during a New Year's Eve celebration in 2016; the December 2017 bombing in a tunnel in New York City's Port Authority Bus Terminal, which was inspired by the Islamic State in Iraq and Syria ('ISIS') Christmas propaganda and conducted after the attacker saw holiday-themed posters on the tunnel walls; the continued threats issued in 2018 by pro-ISIS social media users calling for ISIS supporters to conduct attacks during the upcoming holiday season; and the December 2018 active shooter attack by a terrorist at a popular Christmas Market in Strasbourg, France, which killed 5 and injured 11 more;

WHEREAS, New York State has been subject to terrorist attacks and plots, including the World Trade Center bombing in 1993; the attacks on the World Trade Center on September 11, 2001; the Brooklyn Bridge Plot in 2003; the Financial Centers Plot in 2004 targeting the New York Stock Exchange and Citigroup Center in New York City and the Prudential Plaza in Newark, New Jersey; the 2007 plot to blow up jet fuel supply tanks and the pipeline that fed the tanks located underneath the John F. Kennedy International Airport; the May 2009 plot to bomb a Bronx synagogue and the Stewart Air National Guard Base; the failed plot of Faisal Shahzad in May 2010; the May 2011 plot by Ahmed Ferhani and Mohamed Mamdouh to bomb New York City Synagogues, during which Ferhani and Mamdouh discussed additional targets in New York City, including churches and the Empire State Building; the October 2012 foiled attempt by Quazi Mohammad Rezwani Ahsan Nafis to detonate a 1,000 pound car bomb outside the Federal Reserve Bank of New York in Lower Manhattan; the planned attacks by Quazi and his brother in November 2012 directed at landmarks in New York; the 2014 indictment of Mufid Elfgeeh, a Rochester resident who is alleged to have provided material support to ISIS; the September 2016 attack in New York City involving a pressure cooker style bomb that injured more than 30 people and involved additional detonated and undetonated devices; the October 2017 attack in Lower Manhattan involving Sayfullo Saipov, who drove a rented Home Depot truck down a bike path killing eight people and injuring 12; the October 2018 plot by a Rockland County man to detonate a 200 pound explosive device on Election Day; the October 2018 package bombs that were sent to multiple locations in New York, including CNN's Headquarters in NYC and a Westchester residence; the Queens resident who was arrested in June 2019 for purchasing firearms with obliterated serial numbers and was plotting to attack Times Square; the Brooklyn man who was arrested in November 2019 for allegedly disseminating ISIS propaganda and bomb-making



instructions in an effort to incite violence in New York City and elsewhere; and the machete attack during Hanukkah in Monsey, New York on December 28, 2019. All of these examples demonstrate that terrorists continue to pose a persistent threat to the State of New York;

WHEREAS, while there is no known confirmed threat to the New York City metropolitan area, New York transportation systems have been repeatedly targeted by terrorists, including: the previously mentioned 2017 Port Authority Bombing; the 2016 plot by three men planning to conduct bombings and shootings in Times Square and within the City's subway system during the month of Ramadhan on behalf of ISIS; the 2013 al-Qa'ida - directed plot to derail a passenger train traveling from Toronto to New York; the Zazi plot against New York City subways in 2009; the 2008 plot by Bryant Neal Vinas aimed at the Long Island Railroad; the 2006 plot to bomb the Port Authority-Trans Hudson (PATH) train tunnels; and the 2004 plot to bomb Herald Square in Manhattan. The targeting of transportation systems by terrorist groups is further demonstrated by the bombing on the Saint Petersburg Metro in Russia and the Parsons Green tube station in London, England in 2017; the bombings at an airport and metro station in Brussels, Belgium in 2016; and coordinated bombings across London's mass transit system in 2005 and in Madrid in 2004;

WHEREAS, hundreds of thousands of commuters travel between the states of New York, New Jersey, and Connecticut via mass transit systems that include interstate rail, bus, and ferry systems accessible to the public, and enhanced law enforcement presence on these conveyances is prudent to protect public safety;

WHEREAS, on September 24, 2014, in response to heightened concerns of terrorist activities, New York State and New Jersey formalized a counterterrorism partnership through a Memorandum of Understanding whereby additional security measures and protocols were agreed upon in an effort to bolster the security posture of the Bi-State Region;

WHEREAS, the ISIS continues to use social media sites to repeatedly call on sympathizers to carry out attacks within the United States and Western countries in any manner or way;

WHEREAS, 131 people were murdered and 413 more were injured in multiple, simultaneous terrorist attacks in Paris, France on November 13, 2015; at least 20 people were murdered in a November 20, 2015 terrorist attack in Bamako, Mali; 32 people were killed and more than 300 people were injured after three coordinated suicide bombings at an airport and metro station in Brussels, Belgium on March 22, 2016; 86 people were murdered and 434 people were injured after a terrorist attack on a Bastille Day celebration in Nice, France on July 14, 2016; 5 people were murdered and 49 more injured on the Westminster Bridge and areas outside of the Parliament Building in a vehicle and knife attack in London, England on March 22, 2017; 5 people were murdered and 14 people were injured in a truck attack in Stockholm, Sweden on April 7, 2017; 22 people were murdered outside of Manchester Arena in Manchester, England on May 22, 2017; 8 people were murdered and 48 people injured during an attack on and around London Bridge in London, England on June 3, 2017; 16 people were murdered and 152 people were injured in multiple attacks involving vehicles, knives and explosives in Las Ramblas, Barcelona and Cambrils in Catalonia, Spain between August 17 and 18, 2017; 4 people were murdered and 15 people were injured in March 2018 during an ISIS-inspired active shooter attack and hostage situation in Trebes, France; authorities in the Netherlands foiled a complex coordinated attack in September 2018 by arresting 7 men who planned to target a mass gathering event with firearms and explosives; 4 people were killed and 2 were injured at the Central Police headquarters in Paris, France, after a radicalized terrorist went on a stabbing spree in October 2019; and 2 people were stabbed to death and 3 more were injured near London Bridge in November 2019, by a terrorist wielding a knife and wearing a hoax suicide vest;

WHEREAS, 49 people were murdered and 53 people were injured in a terrorist attack on the Pulse Nightclub in Orlando, Florida on June 12, 2016; 13 people were injured in a terrorist attack perpetrated by Abdul Artan at the Ohio State University on November 28, 2016; threats were issued in 2016 involving the 90th Annual Macy's Thanksgiving Day Parade in New York City; 59 people were murdered

and more than 800 were injured during a mass shooting in Las Vegas on October 1, 2017; 26 people were murdered and 20 people were injured in a church shooting in Sutherland Springs, Texas on November 5, 2017; 2 people were murdered and 5 were injured in March 2018 after several package bombs were sent indiscriminately to residents of Texas; 11 people were murdered and 6 people were injured in an anti-Semitic active shooter attack in October 2018 at the Tree of Life Synagogue in Pittsburgh, Pennsylvania; and 12 people were murdered and more than 20 people were injured in a November 2018 shooting at a restaurant in Thousand Oaks, California;

WHEREAS, the ISIS has released a propaganda video containing images of New York City purportedly under attack;

WHEREAS, various terrorist groups continue to issue threats in an attempt to motivate homegrown terror attacks in the United States;

WHEREAS, New York's sister states, Connecticut and New Jersey, have agreed to deploy police officers to provide increased security on commuter trains, buses, and ferries going in and out of New York State;

WHEREAS, sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey are restricted in their law enforcement authority once such a conveyance crosses the jurisdictional boundary between Connecticut and New York or between New Jersey and New York;

WHEREAS, New York, New Jersey, and Connecticut are all members of the Emergency Management Assistance Compact (EMAC), which allows for mutual assistance and resource sharing among sister states;

WHEREAS, the EMAC provides that emergency forces from the sending state, while operating within the jurisdictional boundaries of the receiving state pursuant to the compact, shall have the same powers (except that of arrest, unless specifically authorized by the receiving state), duties, rights and privileges as are afforded forces of the receiving state in which they are performing emergency services;

WHEREAS, to utilize the police resources provided by New York's sister states, New York State must confer police officer powers, including arrest powers, on such officers while they are within its geographic jurisdiction;

WHEREAS, Section 88 of the Railroad Law authorizes the Superintendent of the State Police to appoint any person as a railroad police officer only under prescribed circumstances and subject to certain limitations;

WHEREAS, if such circumstances and limitations were applied to sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey who are serving as railroad police officers from 12:01 A.M. on December 30, 2019 through 12:01 A.M. on January 3, 2020, such application would prevent, hinder, and delay action necessary to respond to a terrorist attack or a threat thereof;

WHEREAS, Section 29-a of the Executive Law authorizes the suspension, alteration and modification of statutes, local laws, ordinances, orders, rules or regulations, or parts thereof, if compliance with such provisions would prevent, hinder or delay actions necessary to cope with a disaster emergency and the inclusion of any other terms and conditions;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster may be imminent to which the affected local governments are unable to respond adequately without assistance. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby declare a State Disaster Emergency in effect as of December 30, 2020;

FURTHER, pursuant to the authority vested in me by Section 29-a of the Executive Law to temporarily suspend and modify specific provisions of any statute, local law, ordinance, order, rule or regulation,



or parts thereof, of any agency during a State Disaster Emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend and modify, for the period from 12:01 AM on December 30, 2020 until 12:01 AM on January 3, 2021, the following laws for purposes of appointment of sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey as Railroad Police;

FURTHER, Subdivision 1 of Section 88 of the Railroad Law insofar as it requires the Superintendent of the State Police to appoint railroad police officers only upon the application of a corporation, express company, or steamboat company, is modified to the extent necessary to allow the Governor to appoint, and I do hereby appoint, sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey as railroad police officers, and to include all rail and bus facilities and property owned, operated or in the custody or control of the Port Authority of New York and New Jersey or its subsidiaries, the Metropolitan Transit Authority or its subsidiaries, New Jersey Transit or its subsidiaries, and ferries certified to carry passengers to and from New York State; and Subdivisions 2 through 17 of Section 88 of the Railroad Law, as necessary to effectuate this Order; and

FURTHER, this Order shall in effect at 12:01 AM on December 30, 2020 and shall remain in effect until 12:01 AM on January 3, 2021, and may be extended, with further notice consistent with Section 29-a of the Executive Law, upon consideration of a continued heightened alert of terrorist attack, at which time the suspension of laws may be extended upon consideration of a continued heightened alert of terrorist attack.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of December in the year two thousand twenty.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

# FINANCIAL REPORTS

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**Department of  
Taxation and Finance**

## **Depositories for the Funds of the State of New York**

**Month End: December 31, 2020**

Prepared by the Division of the Treasury  
Investments, Cash Management and Accounting Operations

Michael R Schmidt  
Commissioner

ACCOUNT DESCRIPTION	DEPOSITORY	BALANCE AS OF 12/31/2020
<b>ACCOUNTS HELD IN JOINT CUSTODY BY THE COMMISSIONER OF TAXATION FINANCE AND THE NEW YORK STATE COMPTROLLER</b>		
Unemployment Insurance Funding Account	Key Bank	10,991,917.64
Occupational Training Act Funding Account	Key Bank	(16,489.50)
Unemployment Insurance Exchange Account	Key Bank	0.00
PIT Special Refund Account	JPMorgan Chase Bank, N.A.	(214,569,897.07)
General Checking	Key Bank	(681,315,271.54)
Direct Deposit Account	Wells Fargo	22,228.28
<b>TOTAL</b>		<b>(233,940,749.09)</b>
<b>01000 - EXECUTIVE CHAMBER</b>		
Executive Chamber Advance Account	Key Bank	No report received
<b>01010 - DIVISION OF BUDGET</b>		
Advance Account	Bank of America, N.A.	5,000.00
<b>01030 - DIVISION OF ALCOHOLIC BEVERAGE CONTROL</b>		
Albany		
SLA Investigations Account	Key Bank	1,741.45
<b>01050 - OFFICE OF GENERAL SERVICES</b>		
Exec Mansion Official Function	Key Bank	No report received
NY ISO Account	Key Bank	No report received
OGS Binghamton Office Bldg	Key Bank	No report received
SNY Office of General Services	JPMorgan Chase Bank, N.A.	No report received
State of New York OGS Escrow II	Key Bank	No report received
State of New York OGS Petty Cash	Key Bank	No report received
State of New York OGS Escrow	Key Bank	No report received
State of NY Office Of General Services	Key Bank	No report received
<b>01060 - DIVISION OF STATE POLICE</b>		
CNET Confidential Account	Key Bank	0.00
Div Headquarters - Petty Cash	Key Bank	1,866.85
Key Advantage Account	Key Bank	92,505.22
Manhattan Office-confidential	JPMorgan Chase Bank, N.A.	500.00
NYS Police Special Account	Key Bank	2,647,773.83
NYSP CTIU Confidential Fund	Key Bank	3,400.00
SIU Confidential Fund Account	Key Bank	4,213.91
Special Fund	Key Bank	50,107.83
State Police Receipts Account	Bank of America, N.A.	197,425.55
Troop A Batavia - Petty Cash	Bank of America, N.A.	1,000.00
Troop A Batavia-Confidential	Bank of America, N.A.	3,460.94
Troop B Confidential	Key Bank	6,500.00
Troop B Petty Cash	Community Bank	1,000.00
Troop C Confidential Fund	NBT Bank	3,881.41
Troop C Petty Cash	NBT Bank	1,000.00
Troop D Oneida - Confidential	Alliance Bank	3,000.00
Troop D Oneida Petty Cash	Alliance Bank	1,000.00
Troop E Canandaigua Confidential	Canandaigua National Bank	2,000.00
Troop E Petty Cash	Canandaigua National Bank	1,000.00
Troop F Confidential	JPMorgan Chase Bank, N.A.	2,500.00
Troop F Petty Cash	JPMorgan Chase Bank, N.A.	1,000.00
Troop G Loudonville Conf	Bank of America, N.A.	7,488.15
Troop G Petty Cash	Bank of America, N.A.	1,000.00
Troop K Petty Cash	Bank of Millbrook	605.00
Troop K Poughkeepsie-Confidential	Bank of Millbrook	1,725.78
Troop L Confidential Fund	Bank of America, N.A.	5,928.69
<b>01070 - DIVISION OF MILITARY &amp; NAVAL AFFAIRS</b>		
Advance For Travel	Key Bank	11,821.82
SNY Camp Smith Billeting Fund	JPMorgan Chase Bank, N.A.	7,851.53
<b>01077 - OFFICE OF HOMELAND SECURITY</b>		
Academy Of Fire Science	Chemung Canal Trust	No report received
<b>01080 - DIVISION OF HOUSING &amp; COMMUNITY RENEWAL</b>		
Albany Office Of Financial Administration		
Maximum Base Rent Fee Account	JPMorgan Chase Bank, N.A.	19,904.53
Revenue Account	JPMorgan Chase Bank, N.A.	818,247.03
<b>01090 - DIVISION OF HUMAN RIGHTS</b>		
Petty Cash Fund Account	JPMorgan Chase Bank, N.A.	No report received
<b>01150 - OFFICE OF EMPLOYEE RELATIONS</b>		
GOER Panel Administration Escrow Account	Key Bank	7,630.07
NYS Flex Spending	Key Bank	3,764,715.65
State of New York LMC Petty Cash Account	Key Bank	1,940.00
<b>01160 - JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS</b>		
Agency Advance Account	Key Bank	No report received
<b>01300 - ADIRONDACK PARK AGENCY</b>		

General Fund	Community Bank	2.00
Petty Cash	Community Bank	4,035.00
<b>01400 - CRIME VICTIMS COMPENSATION BOARD</b>		
Crime Victims	JPMorgan Chase Bank, N.A.	149,680.00
Emergency Award Account	M&T Bank	0.00
Emergency Claims	Key Bank	8,815.00
Petty Cash Account	Key Bank	1,550.00
REST/SUBROG Escrow Account	Key Bank	389.66
<b>01490 - DIVISION OF CRIMINAL JUSTICE SERVICES</b>		
Advance Account	Bank of America, N.A.	2,900.00
FBI Fee Account	Bank of America, N.A.	3,351.96
Fingerprint Fee Account	Bank of America, N.A.	4,734,455.00
<b>01530 - STATE COMMISSION OF CORRECTION</b>		
Advance Account	Bank of America, N.A.	2,000.00
<b>01540 - STATE BOARD OF ELECTIONS</b>		
Revenue Account	Key Bank	No report received
<b>01620 - OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE</b>		
NYS Prevention Domestic Violence	Bank of America, N.A.	No report received
<b>02000 - OFFICE OF THE STATE COMPTROLLER</b>		
Admissions	Bank of America, N.A.	3,233.78
Advance for Travel Account	Key Bank	No report received
Alcohol Beverage	Bank of America, N.A.	218,939.58
Alcoholic Bev Control License	Wells Fargo Bank	42,757.72
Alcoholic Beverage Control License	M&T Bank	245,485.38
Alcoholic Beverage Tax Collections	Wells Fargo Bank	0.00
Assessments Bulk	JPMorgan Chase Bank, N.A.	112,441.94
Assessments Receivable	JPMorgan Chase Bank, N.A.	6,910,891.78
Assessments Receivable (EFT)	Wells Fargo Bank	317,496.85
Boxing And Wrestling Tax	Bank of America, N.A.	68,469.88
Check 21 Corporation Tax	JPMorgan Chase Bank, N.A.	164,684.79
Check 21 Estate Tax	JPMorgan Chase Bank, N.A.	5,257.23
Check 21 Highway Use	JPMorgan Chase Bank, N.A.	500,603.93
Check 21 PIT	JPMorgan Chase Bank, N.A.	688,683.43
Check 21 Real Estate Transfer	JPMorgan Chase Bank, N.A.	779,167.19
Check Sales Tax	JPMorgan Chase Bank, N.A.	2,421,496.75
Cigarette Stamp Tax	JPMorgan Chase Bank, N.A.	0.00
Cigarette Stamp Tax (EFT)	Wells Fargo Bank	1,992,970.08
Cigarette Stamp Tax Split	JPMorgan Chase Bank, N.A.	414,290.50
Cigarette Tax Tobacco Products	Bank of America, N.A.	37,913.08
Congestion Surcharge	Wells Fargo Bank	84,772.77
Corporation Tax	Wells Fargo Bank	776.09
Corporation Tax - Coupon Acct.	JPMorgan Chase Bank, N.A.	887,535.13
Educational Charitable Account	Wells Fargo Bank	0.00
Employer Compensation Expense	Wells Fargo Bank	428,961.19
Encon Beverage Container Deposit/Bottle Bill (EFT)	Wells Fargo Bank	219,454.92
ERS Petty Cash Acct	Key Bank	No report received
Estimated Tax	JPMorgan Chase Bank, N.A.	24,179,989.41
Gift Tax	Bank of America, N.A.	0.00
Hazardous Waste	Key Bank	6,693.66
Highway Use - Permits & Reg.	Bank of America, N.A.	47,809.81
Highway Use Truck Mileage Tax (EFT)	Wells Fargo Bank	713,162.54
Hudson River-Black River	Bank of America, N.A.	496,674.47
Hudson River-Black River	Community Bank	10,505.63
Hut/Oscar Registrations & Renewals (EFT)	Wells Fargo Bank	73,430.50
IFTA Fuel Use Tax (EFT)	Wells Fargo Bank	100,132.40
IFTA/Oscar Renewals (EFT)	Wells Fargo Bank	88,840.00
IFTA-Decal/Permit Fee Acct.	Bank of America, N.A.	78,137.00
IFTA-Fuel Use	Bank of America, N.A.	17,692.93
Income Tax - LLC	JPMorgan Chase Bank, N.A.	189,486.99
Justice Court	Key Bank	498,694.96
Mac #847 NYS T&F Pari Mutuel	Key Bank	1,068.67
Mac #848 NYS T&F Off Track	Key Bank	2,619,987.30
MCTD Medallion Taxicab Trip	JPMorgan Chase Bank, N.A.	876.50
Medallion Taxicab Trip Tax (EFT)	Wells Fargo Bank	1,681.00
Medical Marijuana Tax Collections	Bank of America, N.A.	43,731.59
Metro Commuter Trans. Mobility	JPMorgan Chase Bank, N.A.	142,229.19
Ogdensburg Bridge & Port	Community Bank	159,169.03
Opioid Excise Tax	Wells Fargo Bank	197,610.53
Personal Income Tax	Wells Fargo Bank	148,171.00
Petroleum Business Tax (EFT)	Wells Fargo Bank	303,547.86
Petroleum Products Tax	Bank of America, N.A.	3,028,722.90
Petty Cash Account	Key Bank	No report received
PIT Bulk	JPMorgan Chase Bank, N.A.	8,571,408.00
Port Of Oswego	Key Bank	28,518.24



Promptax - MCTMT	Wells Fargo Bank	7,428,927.73
Promptax - Petroleum Business Tax	Wells Fargo Bank	155.14
Promptax - Sales Tax/Sales Tax Prepaid Fuel	Wells Fargo Bank	5.94
Promptax - Withholding	Wells Fargo Bank	55,423,028.48
Promptax - Withholding Checks	JPMorgan Chase Bank, N.A.	2,173.83
Real Estate Transfer Tax	Key Bank	2,098.62
Revenue Holding	First Niagara Bank	3,526,000.00
Sales Tax	JPMorgan Chase Bank, N.A.	0.00
Sales Tax	Wells Fargo Bank	358,093.24
SUNY Concentration	First Niagara Bank	1,063,000.00
TNC Assessment (EFT)	Wells Fargo Bank	1,791.44
Troy Debt Service Reserve Fund	Bank of America, N.A.	595,993.73
Uncashed Winning Tickets	Bank of America, N.A.	115,597.76
Unclaimed Funds	JPMorgan Chase Bank, N.A.	212,405.38
Unclaimed Funds - 2	JPMorgan Chase Bank, N.A.	1,930.80
Withholding	Wells Fargo Bank	55.59
Withholding Tax	JPMorgan Chase Bank, N.A.	29,113,542.17
Cash Advance Accounts		
Advance For Travel Account	Key Bank	No report received
ERS Petty Cash Acct	Key Bank	No report received
Petty Cash Account	Key Bank	No report received
Common Retirement Fund		
Common Retirement Fund - Depository	JPMorgan Chase Bank, N.A.	18,510.98
NYS Common Retirement Fund	JPMorgan Chase Bank, N.A.	1.00
Employees Retirement System		
Employees Retirement System - EFT	JPMorgan Chase Bank, N.A.	392.15
Employees Retirement System - General	JPMorgan Chase Bank, N.A.	0.00
Employees Retirement System - Pension	JPMorgan Chase Bank, N.A.	0.00
Group Term Life		
Group Term Life - General	JPMorgan Chase Bank, N.A.	0.00
Municipal Assistance Corporation Accounts		
City Of Troy - MAC	JPMorgan Chase Bank, N.A.	2,957,888.00
Police and Fire		
Retirement Police & Firemen's - EFT	JPMorgan Chase Bank, N.A.	0.89
Retirement Police & Firemen's - General	JPMorgan Chase Bank, N.A.	0.00
Retirement Police & Firemen's - Pension	JPMorgan Chase Bank, N.A.	0.00
<b>03000 - DEPARTMENT OF LAW</b>		
Albany Filing Fees Account	Key Bank	No report received
Albany Petty Cash	Bank of America, N.A.	No report received
Albany Revenue Account	Key Bank	No report received
Assessment Account	JPMorgan Chase Bank, N.A.	No report received
Attorney General Account	Key Bank	No report received
Civil Recoveries Account	Key Bank	No report received
Dept Of Law Controlled Disb	M&T Bank	No report received
Marie Roberts	JPMorgan Chase Bank, N.A.	No report received
NYC Filing Fees Account	JPMorgan Chase Bank, N.A.	No report received
NYC Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
NYC Revenue Account	JPMorgan Chase Bank, N.A.	No report received
Restitution Account	M&T Bank	No report received
Special Account	Key Bank	No report received
US Justice Dept - Shared Forfeiture	Key Bank	No report received
US Treas Dept - Shared Forfeiture	Key Bank	No report received
<b>03010 - OFFICE OF THE ATTORNEY GENERAL</b>		
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
<b>03020 - MEDICAID FRAUD CONTROL</b>		
dept atty gen vs john doe	Key Bank	5,965,049.22
National Global Settlement	JPMorgan Chase Bank, N.A.	30,163,007.02
NYS Department Of Law Confidential Account	JPMorgan Chase Bank, N.A.	40,000.00
NYS Department of Law Petty Cash Account	JPMorgan Chase Bank, N.A.	3,745.54
<b>04020 - NYS ASSEMBLY</b>		
Advance For Travel	Bank of America, N.A.	3,645.00
Petty Cash Account Dist Off	Bank of America, N.A.	21,423.03
Petty Cash New York City	JPMorgan Chase Bank, N.A.	722.56
Public Information Office	Key Bank	0.25
<b>04030 - ASSEMBLY WAYS &amp; MEANS COMMITTEE</b>		
Advance For Travel	Key Bank	No report received
Petty Cash	Key Bank	No report received
<b>04040 - LEGISLATIVE BILL DRAFTING COMMISSION</b>		
NY LBDC - Legislative Computer Services Fund	Key Bank	92,408.41
NYS Leg Bill Drafting Comm-Petty Cash Acct	Key Bank	2,000.00
<b>04250 - REAPPORTIONMENT</b>		
NYS Taskforce On Demo Res & Reapp	JPMorgan Chase Bank, N.A.	125.00
<b>05000 - OFFICE OF COURT ADMINISTRATION</b>		

Attorney Registration Fees - Revenue	JPMorgan Chase Bank, N.A.	918,675.00
Criminal Records Search Acct - Revenue	JPMorgan Chase Bank, N.A.	4,270,870.00
Finger Print Account	JPMorgan Chase Bank, N.A.	300.00
<b>05005 - OCA OFFICE OF BUDGET &amp; FINANCE</b>		
Petty Cash Account	Key Bank	2,500.00
<b>05008 - LAWYERS FUND FOR CLIENT PROTECTION</b>		
Client Security Fund - Bail	Key Bank	1,235,731.82
Lawyers Fund For Client Protection - Bail	Key Bank	702.10
Petty Cash	Key Bank	4,072.17
<b>05071 - COURT OF APPEALS</b>		
Chief Judge Advance	Key Bank	15.07
Clerk Of The Court Of Appeals	Key Bank	0.00
<b>05072 - STATE BOARD OF LAW EXAMINERS</b>		
State Board Of Law Examiners Fee	Key Bank	603,700.00
<b>05081 - APPELLATE DIVISION - 1ST JUDICIAL DEPARTMENT</b>		
1st Appellate Division Supreme Ct	JPMorgan Chase Bank, N.A.	45,630.00
<b>05082 - APPELLATE DIVISION - 2ND JUDICIAL DEPARTMENT</b>		
Appellate Div 2nd Dept Revenue	JPMorgan Chase Bank, N.A.	108,188.50
<b>05083 - APPELLATE DIVISION - 3RD JUDICIAL DEPARTMENT</b>		
Third Dept Civil Fees Acct - Revenue	Key Bank	23,920.00
<b>05084 - APPELLATE DIVISION - 4TH JUDICIAL DEPARTMENT</b>		
4th Dept Appellate Div Civil Fees - Revenue	JPMorgan Chase Bank, N.A.	9,405.00
<b>05090 - COURT OF CLAIMS</b>		
Court Of Claims Revenue Account	Key Bank	4,670.00
<b>05111 - 10TH JUDICIAL DISTRICT NASSAU COUNTY ADMINISTRATION</b>		
Glen Cove City Court		
Glen Cove City Court Bail	Wells Fargo Bank	4,000.60
Glen Cove City Court Revenue	Wells Fargo Bank	16,008.00
Long Beach City Court		
Long Beach City Court Revenue	Wells Fargo Bank	28,412.76
Long Beach Court Bail	Wells Fargo Bank	39,174.22
Nassau County Court		
Nassau County Assessment	Wells Fargo Bank	9,430.40
Nassau District Court - Criminal		
Nassau Dist Ct Criminal Revenue	Wells Fargo Bank	86,832.75
Nassau District Court-Civil		
Nassau County Dist Ct- Civil Revenue	Wells Fargo Bank	24,082.75
Nassau Surrogate		
Nassau County Surrogate Court-Revenue	Wells Fargo Bank	97,722.25
<b>05112 - 10TH JUDICIAL DISTRICT SUFFOLK COUNTY ADMINISTRATION</b>		
10th Judicial District Suffolk County Admin		
Suffolk County Court -Court Fund	People's United Bank	No report received
Suffolk County Surrogate		
Surrogate Court Of Suffolk County	People's United Bank	132,913.26
Suffolk District Court Civil Fees		
Suffolk County District Court Civil Fees	Citibank	192,579.26
Suffolk District Court Criminal Fines		
Suffolk County District Court Criminal Fines	Citibank	131,637.53
Suffolk District Court Trust Acct		
Suffolk County District Court Trust Account	Citibank	26,000.00
<b>05210 - NYC-CIVIL COURT</b>		
Bronx Civil Court - Civil		
Bronx Civil Court - Revenue	JPMorgan Chase Bank, N.A.	594,626.30
Harlem Community Justice Court		
Harlem Community Justice - Revenue Account	JPMorgan Chase Bank, N.A.	16,221.70
Kings Civil Court- Civil		
Kings Civil Court- Civil Revenue	JPMorgan Chase Bank, N.A.	663,027.95
New York Civil Court - Civil		
New York Civil Court Revenue Acct	JPMorgan Chase Bank, N.A.	175,259.05
Queens Civil Court - Civil		
Queens Civil - Revenue	JPMorgan Chase Bank, N.A.	321,151.75
Richmond Civil Court - Civil		
Richmond Civil Ct Revenue Acct	JPMorgan Chase Bank, N.A.	32,122.00
<b>05215 - NYC-CRIMINAL COURT</b>		
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Bail	JPMorgan Chase Bank, N.A.	90,697.00
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Revenue	JPMorgan Chase Bank, N.A.	9,047.00
Kings County Criminal Court		
Kings Criminal Court	Citibank	74,944.00
New York County Criminal Court		
New York Criminal Court	JPMorgan Chase Bank, N.A.	4,345.00
New York Criminal Court- State Funds	JPMorgan Chase Bank, N.A.	4,828.00
Queens County Criminal Court		

Queens Criminal Court	JPMorgan Chase Bank, N.A.	8,006.00
Queens Criminal Court - State Funds	JPMorgan Chase Bank, N.A.	5,421.00
Richmond County Criminal Court		
Richard Criminal Court-City Funds	JPMorgan Chase Bank, N.A.	17,251.00
Richmond Criminal Court-State Funds	JPMorgan Chase Bank, N.A.	7,974.00
<b>05231 - SUPREME COURT - BRONX COUNTY</b>		
Bronx County Supreme - NYS OCA	JPMorgan Chase Bank, N.A.	925.00
<b>05235 - SUPREME COURT - KINGS COUNTY</b>		
Kings Co Supreme		
Supreme Court Kings County-Revenue	JPMorgan Chase Bank, N.A.	1,079.49
<b>05240 - SUPREME COURT - QUEENS COUNTY</b>		
Queens Co Supreme		
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	0.00
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	7,746.54
<b>05250 - NEW YORK COUNTY CLERK</b>		
New York Co Clerk Revenue Account	JPMorgan Chase Bank, N.A.	932,750.25
<b>05255 - BRONX COUNTY CLERK</b>		
Bronx County Clerk		
Bronx Cnty Clerk Revenue Acct	JPMorgan Chase Bank, N.A.	978,138.94
<b>05260 - KINGS COUNTY CLERK</b>		
Kings County Clerk		
Kings County Clerk Revenue Account	Flushing Commercial Bank	1,096,008.75
<b>05265 - QUEENS COUNTY CLERK</b>		
Queens County Clerk-Revenue Acct	Sterling Bank	863,794.67
<b>05270 - RICHMOND COUNTY CLERK</b>		
Richmond Co Clerk State Fees Account	JPMorgan Chase Bank, N.A.	6,937,213.10
Richmond County Clerk DEC	JPMorgan Chase Bank, N.A.	78.93
<b>05275 - NEW YORK COUNTY SURROGATES COURT</b>		
New York Surrogate		
New York Surrogate Court	JPMorgan Chase Bank, N.A.	99,783.00
<b>05280 - BRONX COUNTY SURROGATES COURT</b>		
Bronx Surrogate		
Bronx Surrogate Court Revenue Acct	JPMorgan Chase Bank, N.A.	97,147.75
<b>05285 - KINGS COUNTY SURROGATES COURT</b>		
Kings County Surrogate		
Kings Co. Surrogate Revenue Acct	Bank of America, N.A.	402,802.00
<b>05290 - QUEENS COUNTY SURROGATES COURT</b>		
Queens surrogate		
Queens Co Revenue Acct Surrogate	Signature Bank	95,465.00
<b>05295 - RICHMOND COUNTY SURROGATES COURT</b>		
Richmond County Surrogate Court Revenue Account	Victory State Bank	8,292.00
<b>05360 - 3RD JUDICIAL DISTRICT ADMINISTRATION</b>		
Albany City Court - (Civil)		
Albany City Civil - Revenue	Wells Fargo Bank	4,711.60
Albany City Court - (Crim-Bail)		
Albany City Criminal - Bail	Wells Fargo Bank	11,148.12
Albany City Court - (Traffic)		
Albany City Traffic-Revenue	Wells Fargo Bank	43,214.00
Albany Traffic Court - Bail	Bank of America, N.A.	0.00
Albany City Court - Civil Part		
Albany City Court Civil - Revenue	Trustco Bank	0.00
Albany City Court - Crim		
Albany City Court-Crim	Wells Fargo Bank	7,839.00
Albany City Court - Traffic-Bail		
Albany City Traffic - Bail	Wells Fargo Bank	1,300.18
Albany County Surrogate		
Albany Cty Surrogates Court - Revenue	Bank of America, N.A.	11,287.50
Albany Police Court		
Albany Police Court Bail Account	Key Bank	0.00
Cohoes City Court		
Cohoes City Court Bail	Key Bank	1,751.80
Cohoes City Court Fees/Fines Account	Key Bank	4,757.00
Columbia County Surrogate		
Columbia Co Surrogate Ct Fees - Revenue	Key Bank	233.00
Greene Surrogate		
Greene Surrogate-Revenue	Wells Fargo Bank	2,576.50
Hudson City Court		
Hudson City Bail	Wells Fargo Bank	30,166.52
Hudson City Revenue	Wells Fargo Bank	5,379.00
Kingston City Court		
Kingston City Court Bail	Wells Fargo Bank	17,096.90
Kingston City Court Revenue	Wells Fargo Bank	5,000.00
Rensselaer City Court		
Rensselaer City Court - Bail	Wells Fargo Bank	295.06

Rensselaer City Court - Revenue	Wells Fargo Bank	3,761.03
Rensselaer City Court Bail Acct	Key Bank	0.00
Rensselaer County Surrogate		
Rensselaer Co Surrogate Ct Fees - Revenue	Key Bank	21,834.50
Schoharie County Surrogate		
Schoharie Co Surrogates Court - Revenue	Bank of America, N.A.	689.50
Sullivan Surrogate		
Sullivan Surrogate-Revenue	Wells Fargo Bank	310.25
Troy City Court		
Troy City Court- Revenue Acct - Revenue	Bank of America, N.A.	23,500.40
Troy Police Court Bail Account	Bank of America, N.A.	11,158.01
Ulster County Surrogate		
Ulster County Surrogate Court - Revenue	Key Bank	10,945.75
Watervliet City Court		
Watervliet City Court - Bail	Wells Fargo Bank	42,030.00
Watervliet City Court - Revenue	Wells Fargo Bank	13,978.12
<b>05460 - 4TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Amsterdam City Court		
Amsterdam City Court - Bail	Key Bank	23,876.26
Amsterdam City Court - Revenue	Key Bank	15,586.00
Clinton County Surrogates		
Clinton County Surrogates - Revenue	NBT Bank	766.00
Essex County Surrogate		
Essex Co Surrogate Clerk - Revenue	Champlain National	634.25
Franklin County Surrogate		
Franklin Co Surrogate Court - Revenue	Key Bank	587.25
Fulton County Surrogate		
Fulton County Surrogate's Court	Key Bank	886.50
Glens Falls City Court		
Glens Falls City Court Account - Revenue	Glens Falls National	6,103.00
Glens Falls City Court Bail Acct	Glens Falls National	9,811.51
Gloversville City Court		
Gloversville City Court Bail	NBT Bank	14,075.68
Gloversville City Court Revenue	NBT Bank	2,246.50
Hamilton Surrogate		
Hamilton Surrogate - Revenue	Community Bank	30.00
Johnstown City Court		
City Of Johnstown Bail Account - Bail	Key Bank	4,102.03
Johnstown City Court Fines/Fees - Revenue	Key Bank	3,965.00
Mechanicville City Court		
Mechanicville City Court Bail	TD Bank	11,151.42
Mechanicville City Ct Revenue Acct	TD Bank	2,207.00
Montgomery County Surrogate		
Montgomery County Surrogates Court - Revenue	NBT Bank	265.00
Ogdensburg City Court		
Ogdensburg City Court Int Bail	Community Bank	2,575.03
Ogdensburg City Court Revenue	Community Bank	2,129.00
Plattsburgh City Court		
Plattsburgh City Court - Bail	Glens Falls National	5,150.42
State Of NY Plattsburgh City Court - Revenue	Glens Falls National	8,175.16
Saratoga County Surrogate		
Saratoga County Surrogate - Revenue	Ballston Spa National Bank	17,372.25
Saratoga Springs City Court		
Saratoga Springs Bail Account	The Adirondack Trust Company	7,580.31
Saratoga Springs City Revenue Acct	The Adirondack Trust Company	7,391.00
Schenectady City Court		
Schenectady City Court- Bail	Bank of America, N.A.	48,508.97
Schenectady City Court Revenue	Bank of America, N.A.	19,662.56
Schenectady Surrogate		
Schenectady Surrogate Court - Revenue	Key Bank	4,738.50
St. Lawrence Co Surrogate		
St. Lawrence County Surrogate - Revenue	Community Bank	1,430.00
Warren County Surrogate		
Warren County Surrogate Court - Revenue	TD Bank	2,467.00
Washington Surrogates		
Washington Surrogate Revenue	TD Bank	1,766.00
<b>05560 - 5TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Fulton City Court		
Fulton City Court Bail Acct	Key Bank	6,161.06
Fulton City Court Revenue	Key Bank	4,592.00
Herkimer Surrogate		
Herkimer Surrogate - Revenue	Partners Trust	582.00
Jefferson Surrogates		
Jefferson Co Surrogate Revenue	Key Bank	3,972.00



Lewis County		
Lewis County Clerk	Community Bank	500.00
Lewis County Surrogates		
Lewis County Surrogate Court - Revenue	Key Bank	739.00
Little Falls City Court		
Little Falls City Court Bail	Bank of America, N.A.	1,000.00
Little Falls City Court Revenue	M&T Bank	2,280.00
Oneida County Combined		
Oneida County Combined Court	Adirondack Bank	1,315.00
Oneida County Surrogates		
Oneida County Surrogate Court Revenue	The Adirondack Trust Company	21,233.00
Onondaga County Surrogates		
Onondaga Surrogate Court - Revenue	Alliance Bank	7,719.50
Oswego City Court		
Oswego City Court Bail Acct	JPMorgan Chase Bank, N.A.	8,697.17
Oswego City Court Revenue	JPMorgan Chase Bank, N.A.	13,373.73
Oswego Surrogate Court		
Oswego County Surrogate Court - Revenue	Key Bank	3,103.00
Rome City Court		
City Court Of Rome Bail Account - Bail	Bank of America, N.A.	12,691.00
Rome City Court - Revenue	Bank of America, N.A.	1,219.00
Sherrill City Court		
Sherrill City Court 5th Jud Dist - Bail	Alliance Bank	0.00
Sherrill City Court Fees - Revenue	Alliance Bank	400.00
Syracuse City Court		
Syracuse City Court - Bail	Alliance Bank	227,872.01
Syracuse City Court - Fees - Revenue	Alliance Bank	19,710.85
Utica City Court		
Utica City Court Criminal Bail	Bank of Utica	22,332.69
Utica City Court Revenue Account	Key Bank	53,364.09
Watertown City Court		
Watertown City Court Bail	Key Bank	18,650.13
Watertown City Court Fees & Fines - Revenue	Key Bank	9,832.00
<b>05661 - 6TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Binghamton City Court		
Binghamton City Court Bail	M&T Bank	36,841.00
Binghamton City Court Revenue	M&T Bank	16,194.80
Broome Surrogates		
SNY UCS Broome County Surrogates Court	Wells Fargo Bank	1,863.75
Chemung County Surrogates		
SNY UCS Chemung County Surrogates Court	Wells Fargo Bank	1,321.25
Chenango County Surrogates		
SNY UCS Chenango County Surrogates Court	Wells Fargo Bank	46.25
Cortland City Court		
Court City Court Bail	NBT Bank	15,969.25
Court City Court- Revenue	NBT Bank	5,605.00
Cortland County Surrogates		
SNY UCS Cortland County Surrogates Court	Wells Fargo Bank	1,127.00
Delaware County Surrogates		
Delaware County Surrogate - Revenue	Delaware National Bank	710.00
Elmira City Court		
Elmira City Court - Revenue Account	Chemung Canal Trust	6,476.40
Elmira City Court Bail	Chemung Canal Trust	30,261.38
Ithaca City Court		
Ithaca City Court	Tompkins County Trust	12,139.00
Ithaca City Court Revenue	Tompkins County Trust	8,589.25
Madison County Surrogates		
SNY UCS Madison County Surrogates Court	Wells Fargo Bank	3,741.00
Norwich City Court		
Norwich City Court Bail Acct	NBT Bank	No report received
Norwich City Court Revenue Acct	NBT Bank	No report received
Oneida City Court		
Oneida City Court Bail Account	JPMorgan Chase Bank, N.A.	5,900.00
Oneida City Court Fee & Fine - Revenue	JPMorgan Chase Bank, N.A.	9,756.50
Oneonta City Court		
Oneonta City Court - Revenue	Community Bank	2,889.50
Oneonta City Court Bail Account	Community Bank	3,500.00
Otsego County Surrogates		
Otsego County Surrogates Court - Revenue	Key Bank	861.75
Schuyler County Surrogates		
Schuyler County Surrogates Court	Community Bank	280.00
Tioga County Surrogates		
Tioga Surrogates Court - Revenue	M&T Bank	748.75
Tompkins County Surrogates		

SNY UCS Tompkins County Surrogates Court	Wells Fargo Bank	5,186.00
<b>05761 - 7TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Auburn City Court		
Auburn City Court Bail Acct	Key Bank	22,610.55
Auburn City Court Fees & Fines - Revenue	Key Bank	8,567.85
Canandaigua City Court		
Canandaigua City Court Bail Acct	Canandaigua National Bank	21,002.51
Canandaigua City Court Revenue	Canandaigua National Bank	5,655.00
Cayuga County Surrogates		
Cayuga Surrogate Court	Wells Fargo Bank	322.00
Corning City Court		
Corning City Court - Bail	Wells Fargo Bank	7,613.88
Corning City Court - Revenue	Wells Fargo Bank	4,170.00
Geneva City Court		
Geneva City Court Bail Account	Wells Fargo Bank	18,434.01
Geneva City Court Revenue Account	Wells Fargo Bank	4,844.00
Hornell City Court		
Hornell City Court Bail Account	Community Bank	9,915.08
Hornell City Court Revenue	Community Bank	1,104.00
Livingston County Surrogates		
Livingston Surrogate Court	Wells Fargo Bank	1,977.00
Monroe County Surrogates		
7th District Monroe Surrogate	Wells Fargo Bank	15,228.00
Ontario County Surrogates		
Ontario Surrogate Court	Wells Fargo Bank	2,736.00
Rochester City Court		
Rochester City Court Bail Account	M&T Bank	460,145.60
Rochester City Revenue	M&T Bank	10,318.25
Seneca County Surrogates		
Seneca Surrogate Court	Wells Fargo Bank	33.00
Steuben County Surrogates		
7th District Steuben Surrogate	Wells Fargo Bank	2,427.00
Wayne County Surrogates		
Wayne Surrogate Court	Wells Fargo Bank	2,144.50
Yates County Surrogates		
Yates Surrogate Court	Wells Fargo Bank	1,036.00
<b>05860 - 8TH JUDICIAL DISTRICT ADMINISTRATION</b>		
ALLEGANY COUNTY SURROGATES COURT		
ST of NY Office of The State Comptroller State of New York Unified Courts Allegany Surrogate Court	Wells Fargo Bank	No report received
Batavia City Court		
ST of NY Office of The State Comptroller Batavia City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Batavia City Court REVENUE	Wells Fargo Bank	No report received
BUFFALO CITY COURT		
ST of NY Office of The State Comptroller Buffalo City Court Bail Account	Wells Fargo Bank	No report received
ST of NY OFFICE OF THE STATE COMPTROLLER BUFFALO CITY COURT REVENUE ACCOUNT	Wells Fargo Bank	No report received
Cattaraugus County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Cattaraugus Surrogate Court	Wells Fargo Bank	No report received
Chautauqua County Surrogates Court		
ST of NY Office of the State Comptroller State of New York Unified Courts Chautauqua Surrogate Court	Wells Fargo Bank	No report received
Dunkirk City Court		
ST of NY Office of The State Comptroller Dunkirk Bail Account	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Dunkirk Revenue Account	Wells Fargo Bank	No report received
Erie - Buffalo County Law Library		
Sur Ct Lib At Buffalo - Revenue	M&T Bank	No report received
Erie County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Erie Surrogate Court	Wells Fargo Bank	No report received
Genesee County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Genesee Surrogate Court	Wells Fargo Bank	No report received
Jamestown City Court		
St of NY Office of the State Comptroller Jamestown City Court Bail Account	Wells Fargo Bank	No report received
St of NY Office of the State Comptroller Jamestown City Court Revenue Account	Wells Fargo Bank	No report received
State of New York Office of Court Administration Jamestown City Court Bail	Key Bank	No report received
State of New York Office of Court Administration Jamestown City Court Revenue	Key Bank	No report received
Lackawanna City Court		
Lackawanna City Court Bail Account	Key Bank	No report received
Lackawanna City Court Revenue Account	Key Bank	No report received
Lockport City Court		
Lockport City - Bail	Key Bank	No report received
Lockport City HESC EFT Account - Revenue	Key Bank	No report received
St of NY Office of the State Comptroller Lockport City Court Bail Account	Wells Fargo Bank	No report received
St of NY Office of the State Comptroller Lockport City Court Revenue Account	Wells Fargo Bank	No report received
Niagara City Court		
Niagara Falls Bail Bond Account	M&T Bank	No report received
Niagara County Surrogates		

ST of NY Office of the State Comptroller State of New York Unified Courts Niagara Surrogate Court	Wells Fargo Bank	No report received
Niagara Falls City Court		
ST of NY OFFICE OF THE STATE COMPTROLLER NIAGARA FALLS BAIL ACCOUNT	Wells Fargo Bank	No report received
ST of NY OFFICE OF THE STATE COMPTROLLER NIAGARA FALLS REVENUE ACCOUNT	Wells Fargo Bank	No report received
No. Tonawanda City Court		
ST of NY Office of The State Comptroller No. Tonawanda City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller No. Tonawanda Revenue	Wells Fargo Bank	No report received
Olean City Court		
ST of NY Office of The State Comptroller Olean City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Olean City Court Revenue	Wells Fargo Bank	No report received
Orleans County Surrogates		
ST of NY Office of The State Comptroller State of New York Unified Courts Orleans Surrogate Court	Wells Fargo Bank	No report received
Salamanca City Court		
Salamanca City Court Bail	Community Bank	No report received
Salamanca City Court City Judge - Revenue	Community Bank	No report received
St of NY Office of the State Comptroller Salamanca City Court Bail Account	Wells Fargo Bank	No report received
St of NY Office of the State Comptroller Salamanca City Court Revenue Account	Wells Fargo Bank	No report received
Tonawanda City Court		
ST of NY Office of The State Comptroller Tonawanda City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Tonawanda City Court Revenue	Wells Fargo Bank	No report received
Wyoming County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Wyoming Surrogate Court	Wells Fargo Bank	No report received
<b>05960 - 9TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Beacon City Court		
Beacon City Court Bail Account - Bail	JPMorgan Chase Bank, N.A.	33,205.56
Beacon City Fines Account - Revenue	JPMorgan Chase Bank, N.A.	4,375.00
Dutchess County Surrogates Court		
Dutchess County Surrogate Court - Revenue	JPMorgan Chase Bank, N.A.	39,784.25
Middletown City Court		
Middletown City Bail Escrow - Bail	Wells Fargo Bank	89,203.00
Middletown City Court Revenue	JPMorgan Chase Bank, N.A.	0.00
Middletown City Court Revenue	Wells Fargo Bank	28,694.50
Mt Vernon City Court		
Mt Vernon City Court State Bail	Wells Fargo Bank	124,498.93
Mt Vernon City Court State Revenue	Wells Fargo Bank	21,827.07
New Rochelle City Court		
New Rochelle City Court Bail	JPMorgan Chase Bank, N.A.	284,990.80
New Rochelle City Court Revenue	JPMorgan Chase Bank, N.A.	39,341.08
Newburgh City Court		
Newburgh Bail Account	Wells Fargo Bank	16,368.87
Newburgh City Court Revenue	Wells Fargo Bank	20,080.80
Orange County Surrogates Court		
Orange Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	7,287.75
Peekskill City Court		
Peekskill City Court Revenue	JPMorgan Chase Bank, N.A.	3,300.00
Peekskill City Court		
Peekskill City Court - Bail	JPMorgan Chase Bank, N.A.	45,086.41
Port Jervis City Court		
Port Jervis Bail Account - Bail	JPMorgan Chase Bank, N.A.	60,210.45
Port Jervis Revenue Account - Revenue	JPMorgan Chase Bank, N.A.	3,801.00
Poughkeepsie		
Poughkeepsie City Court -Bail	Wells Fargo Bank	34,685.13
Poughkeepsie City Court -Revenue	Wells Fargo Bank	18,672.65
Putnam Co Surrogate's Court		
Putnam Co Surrogates Court	Putnam County National Bank	18,188.00
Rockland County Surrogates Court		
Rockland Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	6,387.50
Rye City Court		
City Of Rye Bail Account	JPMorgan Chase Bank, N.A.	106.41
City Of Rye Fines And Fees - Revenue	JPMorgan Chase Bank, N.A.	23,040.01
Westchester County Surrogates Court		
Westchester Co Surrogates Fees - Revenue	Wells Fargo Bank	64,019.25
White Plains City Court		
White Plains City Court Bail Account	Sterling Bank	0.00
White Plains City Court Bail Account	Wells Fargo Bank	47,046.40
White Plains City Court Vehicle And Traffic Acct - Revenue	Sterling Bank	0.00
White Plains City Court Vehicle And Traffic Acct - Revenue	Wells Fargo Bank	33,346.56
Yonkers City Court		
Yonkers City Bail Account - Bail	Wells Fargo Bank	309,830.44
Yonkers City Revenue Account - Revenue	Wells Fargo Bank	29,998.83
<b>06000 - AGRICULTURE &amp; MARKETS</b>		
Administration Account	Key Bank	49,424.61
Agency Advance Account	Key Bank	10,000.00
Agriculture Producers Sec Fund	Key Bank	20,512.68

Animal Population Control Account	Key Bank	28,538.17
Apple Marketing Order Fund	Key Bank	0.00
Consumer Food Industry Account	Key Bank	10,683.80
Dairy Industry Services Account	Key Bank	25,985.80
Dairy Promotion Order Fund	Key Bank	0.00
Milk Producers Security Fund	Key Bank	49,618.38
NYS Farmers Market Program	Key Bank	432,692.24
NYS WNY Milk Mktg Area Administration Fund	M&T Bank	110.75
NYS WNY Milk Mktg Area Equalization Fund	M&T Bank	10,479.17
NYS WNY Milk Mktg Area Equalization Fund Savings	M&T Bank	319.38
Onion Marketing Order	Key Bank	0.00
Plants Industry Account	Key Bank	11,194.91
Pride of NY	Key Bank	6,266.98
Sour Cherry Marketing Fund	Key Bank	0.00
Weights & Measures Account	Key Bank	49,803.18
NYS Dept Agriculture & Markets		
Apple Marketing Order Fund	Key Bank	0.00
Dairy Promotion Order Fund	Key Bank	0.00
Farm Products	Key Bank	28,664.71
State Fair		
NYS Fair Operating Account	Solvay Bank	21,292.25
NYS Fair Special Account	Solvay Bank	231.20
<b>08000 - DEPARTMENT OF CIVIL SERVICE</b>		
Agency Advance Account	Bank of America, N.A.	3,000.00
Examination Application Fees Account	Bank of America, N.A.	703.00
Examination Application Fees Account	Key Bank	392.00
NYS Affirmative Action Advisory Account	Bank of America, N.A.	5,141.90
NYS Department of Civil Service	US Bank	14,183,447.08
<b>08010 - PUBLIC EMPLOYEE RELATIONS BOARD</b>		
Petty Cash And Travel Advance Account	Key Bank	1,462.50
<b>09000 - DEPARTMENT OF ENVIRONMENTAL CONSERVATION</b>		
Albany		
Bayville Feasibility Study	JPMorgan Chase Bank, N.A.	494,055.78
Conservation Petty Cash Account	M&T Bank	30,000.00
DEC/Exchange Account	M&T Bank	15,037.98
ENCON License Issuing Office	M&T Bank	15,401.22
ENCON/Montauk Point Feasibility Study	JPMorgan Chase Bank, N.A.	7,205.38
ENCON/South Shore Of Staten Island	JPMorgan Chase Bank, N.A.	22,920.84
Hunting Trapping & Fishing Account	M&T Bank	127,179.35
Lake Montauk Harbor	JPMorgan Chase Bank, N.A.	156,250.72
Lockbox Account	Wells Fargo Bank	50,520.52
Mattituck Inlet	JPMorgan Chase Bank, N.A.	1,329.14
NY Conservationist	Bank of America, N.A.	27,276.66
Program Fee	JPMorgan Chase Bank, N.A.	15,653.28
Revenue Account	Bank of America, N.A.	925,537.02
Rockaway Beach Study & Project	JPMorgan Chase Bank, N.A.	1,265,813.61
State of New York	Key Bank	35,489.36
Region 1		
Marine Permit Account	People's United Bank	249,457.63
Region 3		
Beaverkill & Mongaup Pond	Jeff Bank	83.25
Revenue Region 3 Account	Bank of America, N.A.	0.00
Region 4		
Bear Spring Revenue Account	Wayne Bank	0.00
Region 4	Greene County Commercial Bank	0.00
Region 4 Camping	NBT Bank	0.00
Region 5		
Campsite Revenue Account	Glens Falls National	24,117.40
Land & Forest Region SW	TD Bank	261,843.63
NYS Conservation	Glens Falls National	4,806.09
Recreation (Warrensburg)	City National Bank & Trust	3,126.91
Region 5	Citizens Bank	1,133.39
Region 5	NBT Bank	119,228.62
Tree Nursery	Bank of America, N.A.	0.00
Region 6		
Fish & Wildlife Watertown	Key Bank	126.92
Lands & Forest District #7	Community Bank	297.50
Lands & Forests District #6	Community Bank	125.00
Lands And Forests District 10	M&T Bank	21.20
SNY Dept Of Environmental Conserv	Community Bank	14.04
<b>10000 - ATTICA CORRECTIONAL FACILITY</b>		
Agency Advance Account	Five Star Bank	1,700.00
CD Spendable	Five Star Bank	220,000.00
Employee Benefit Fund	Five Star Bank	6,638.12



General Cash Fund	Five Star Bank	0.00
Inmate Occupational Therapy Fund	Five Star Bank	72,420.00
Inmate Savings Account	Five Star Bank	255,290.87
Spendable Fund	Five Star Bank	360,016.90
<b>10010 - AUBURN CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	1,445.69
Certificate of Deposit	Bank of America, N.A.	90,000.00
Certificate of Deposit	Bank of America, N.A.	15,000.00
Inmate Occupational Therapy Fund	Key Bank	20,836.63
Inmate Spendable Account	Key Bank	266,298.14
Inmate Spendable Savings CD	Key Bank	102,650.33
Misc Revenue	Key Bank	59,662.38
<b>10020 - CLINTON CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	13,001.00
Employee Benefit Fund	Key Bank	9,730.73
General Fund	Key Bank	18,562.52
Inmate Funds	Key Bank	176,156.44
Inmate Funds Money Market Account	Key Bank	819,434.04
Inmate Occupational Therapy Acct	Key Bank	78,537.33
<b>10030 - WATERTOWN CORRECTIONAL FACILITY</b>		
Agency Advance Account	Key Bank	2,388.50
Inmate Occupational Therapy Fund	Key Bank	14,199.76
Inmate Spendable Funds	Key Bank	33,806.59
Inmate Spendable Savings Account	Key Bank	60,674.74
Miscellaneous Receipts	Key Bank	12,905.69
<b>10040 - GREAT MEADOW CORRECTIONAL FACILITY</b>		
Certificate of Deposit	Glens Falls National	No report received
Certificate of Deposit	Glens Falls National	No report received
Certificate of Deposit	Glens Falls National	No report received
Facility Advance	Key Bank	No report received
General Fund	Key Bank	No report received
Inmate Fund	Key Bank	No report received
Inmate Fund Savings Account	Glens Falls National	No report received
Miscellaneous Account	Key Bank	No report received
Occupational Therapy	Key Bank	No report received
<b>10050 - FISHKILL CORRECTIONAL FACILITY</b>		
Agency Advance	M&T Bank	3,167.32
Employee Benefits	M&T Bank	9,197.29
Inmate Spending Account	M&T Bank	482,338.65
Inmates Account	M&T Bank	463,092.75
Misc Receipts	M&T Bank	15,154.55
Occupational Therapy Account	M&T Bank	47,676.03
<b>10060 - WALLKILL CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	1,404.96
Employee Benefit	Key Bank	2,061.07
Inmate Occupational Therapy Fund	Key Bank	29,156.03
Inmate Savings Account	Key Bank	88,191.29
Inmates Fund Account	Key Bank	67,503.05
Misc. Receipts	Key Bank	15,413.78
<b>10070 - SING SING CORRECTIONAL FACILITY</b>		
Cash Advance	JPMorgan Chase Bank, N.A.	8,000.90
Inmate Funds	JPMorgan Chase Bank, N.A.	356,996.89
Inmate Interest Funds	JPMorgan Chase Bank, N.A.	455,412.30
Misc Receipts	JPMorgan Chase Bank, N.A.	54,668.00
Occupational Therapy	JPMorgan Chase Bank, N.A.	121,620.49
Quality Work Life	JPMorgan Chase Bank, N.A.	24,680.12
<b>10080 - GREEN HAVEN CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	1,100.00
General Fund	Key Bank	11,240.23
Inmates Money Market	Key Bank	287,831.17
Inmates Now Checking	Key Bank	658,344.88
Occupational Therapy Fund	Key Bank	146,621.93
<b>10090 - ALBION CORRECTIONAL FACILITY</b>		
Albion Advance Account	Bank of America, N.A.	1,073.40
Employee Benefit Fund	Bank of America, N.A.	11,259.65
Inmate Funds	Bank of America, N.A.	84,481.38
Inmate Funds Savings	Bank of America, N.A.	154,328.42
Misc Receipts	Bank of America, N.A.	5,978.13
Occupational Therapy	Bank of America, N.A.	20,387.10
<b>10100 - EASTERN NEW YORK CORRECTIONAL FACILITY</b>		
Agency Advance Account	Sterling Bank	396.64
Employee Benefit Fund	Sterling Bank	16,722.31
ID Now 3 Month CD	M&T Bank	50,102.55
Inmate Deposit Now Account	Sterling Bank	488,917.75

Inmate Occupational Therapy Account	Sterling Bank	31,790.33
Misc. Receipts	Sterling Bank	5,487.79
<b>10110 - ELMIRA CORRECTIONAL &amp; RECEPTION CENTER</b>		
Agency Advance Account	Chemung Canal Trust	2,776.24
Employee Benefit Fund	Chemung Canal Trust	28,575.71
Inmate CD Account	M&T Bank	213,882.47
Inmates Fund	Chemung Canal Trust	493,543.39
Miscellaneous Receipts	Chemung Canal Trust	1,496.35
Occupational Therapy Fund	Chemung Canal Trust	33,718.80
<b>10120 - BEDFORD HILLS CORRECTIONAL FACILITY</b>		
Advance Account	JPMorgan Chase Bank, N.A.	5,342.95
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	8,615.73
Inmate Funds	JPMorgan Chase Bank, N.A.	153,359.66
Inmate Funds CD	JPMorgan Chase Bank, N.A.	90,000.00
Inmate Funds Money Market	JPMorgan Chase Bank, N.A.	23,281.63
Misc. Receipts	JPMorgan Chase Bank, N.A.	161.00
Occupational Therapy	JPMorgan Chase Bank, N.A.	63,830.03
<b>10130 - COXSACKIE CORRECTIONAL FACILITY</b>		
Agency Advance Account	National Bank of Coxsackie	No report received
Employee Benefits Fund	National Bank of Coxsackie	No report received
Inmates Fund	National Bank of Coxsackie	No report received
Inmates Fund Savings Acct	National Bank of Coxsackie	No report received
Misc. Revenue	National Bank of Coxsackie	No report received
Money Market Acct	National Bank of Coxsackie	No report received
Occupational Therapy Acct	National Bank of Coxsackie	No report received
<b>10140 - WOODBOURNE CORRECTIONAL FACILITY</b>		
CD - Inmate Funds	First National Bank of Jeffersonville	190,000.00
CD - Inmate Funds	First National Bank of Jeffersonville	50,000.00
WCF Agency Advance	Jeff Bank	1,430.21
WCF General Fund	Jeff Bank	16,756.51
WCF Inmate Fund	Jeff Bank	203,150.99
WCF Occupational Therapy Fund	Jeff Bank	42,062.45
<b>10160 - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION</b>		
Agency Advance Account	Key Bank	22,379.98
Employee Benefit Fund	Key Bank	16,183.60
Inmate Escrow Account	Key Bank	460,631.04
Misc. Receipts Account	Key Bank	23,825.79
Special Account	Key Bank	857.00
<b>10170 - QUEENSBORO CORRECTIONAL FACILITY</b>		
Agency Advance Account	JPMorgan Chase Bank, N.A.	3,136.64
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	7,921.24
Inmate Funds Account	JPMorgan Chase Bank, N.A.	268,233.41
Miscellaneous Receipts Account	JPMorgan Chase Bank, N.A.	1,121.04
Occupational Therapy Fund	JPMorgan Chase Bank, N.A.	1,741.96
Savings Account	JPMorgan Chase Bank, N.A.	15,647.72
<b>10230 - ADIRONDACK CORRECTIONAL FACILITY</b>		
ADK QWL	Community Bank	7,581.62
Agency Advance	Community Bank	790.00
Diversity Management	Community Bank	493.07
Employee Benefit Fund	Community Bank	3,980.65
General Fund	Community Bank	418.50
Inmate Funds	Community Bank	51,928.73
Inmate Occupational Therapy Fund	Community Bank	1,303.70
<b>10240 - DOWNSTATE CORRECTIONAL FACILITY</b>		
Agency Advance	JPMorgan Chase Bank, N.A.	1,491.84
Employee Recreational Funds	JPMorgan Chase Bank, N.A.	16,784.49
Inmate Fund	JPMorgan Chase Bank, N.A.	484,505.04
Inmates Funds Savings	JPMorgan Chase Bank, N.A.	80,469.34
Misc. Receipts	JPMorgan Chase Bank, N.A.	17,196.83
Occupational Therapy	JPMorgan Chase Bank, N.A.	77,750.67
<b>10250 - TACONIC CORRECTIONAL FACILITY</b>		
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	1,853.29
Inmate Funds	JPMorgan Chase Bank, N.A.	105,082.80
Misc. Revenue	JPMorgan Chase Bank, N.A.	1,369.73
Money Market	JPMorgan Chase Bank, N.A.	30,990.23
Occupational Therapy Fund	JPMorgan Chase Bank, N.A.	16,627.41
Taconic Advance Account	JPMorgan Chase Bank, N.A.	3,068.00
<b>10270 - HUDSON CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	4,875.42
Employee Benefit Fund Account	Key Bank	4,714.37
Inmate Funds Account	Key Bank	39,286.18
Inmate Key Advantage Account	Key Bank	50,359.61
Inmate Occupational Therapy Account	Key Bank	6,449.00
Miscellaneous Receipts Account	Key Bank	4,426.89

**10290 - OTISVILLE CORRECTIONAL FACILITY**

Cash Advance	Jeff Bank	868.88
General Fund	Jeff Bank	3,094.77
Inmate Funds	Jeff Bank	216,780.62
Inmate Occupational Therapy	Jeff Bank	44,475.88
Inmate Savings	Jeff Bank	51,365.47
Inmate Savings CD	Hometown Bank	78,515.76

**10300 - ROCHESTER CORRECTIONAL FACILITY**

Consolidated Advance Account	M&T Bank	1,623.45
Employee Recreation Fund	M&T Bank	1,333.45
Inmate Deposit Account	M&T Bank	59,939.53
Misc Fees	M&T Bank	2,508.51
Work Release Advance Account	M&T Bank	7,368.69

**10320 - EDGEcombe CORRECTIONAL FACILITY**

Agency Advance	JPMorgan Chase Bank, N.A.	842.26
Employee Benefit Account	JPMorgan Chase Bank, N.A.	2,472.24
Inmate Cash Account	JPMorgan Chase Bank, N.A.	17,056.89
Misc. Receipts Account	JPMorgan Chase Bank, N.A.	0.00
Occupational Therapy Acct	JPMorgan Chase Bank, N.A.	1,805.26
Work Release Account	JPMorgan Chase Bank, N.A.	No report received

**10350 - OGDENSBURG CORRECTIONAL FACILITY**

Agency Advance Account	Community Bank	2,940.00
EBF	Community Bank	5,196.56
Inmate Fund	Community Bank	47,034.97
Inmate Savings	Community Bank	45,243.29
Misc. Receipts	Community Bank	146.35
Occupational Therapy	Community Bank	13,746.54

**10370 - FIVE POINTS CORRECTIONAL FACILITY**

Consolidated Advance	Five Star Bank	1,032.82
EBF Checking	Five Star Bank	41,215.98
EBF Savings	Five Star Bank	30,845.44
Inmate Savings	Five Star Bank	257,957.15
Inmate Spendable	Five Star Bank	189,216.09
Misc Receipts	Five Star Bank	785.98
Occupational Therapy	Five Star Bank	40,169.14

**10390 - MOHAWK CORRECTIONAL FACILITY**

Agency Advance	Key Bank	2,533.71
Employee Benefit Fund Checking	Bank of America, N.A.	32,378.05
Inmate Funds Checking	Key Bank	266,272.10
Inmate Funds Savings	Key Bank	314,488.48
Miscellaneous Revenue	Key Bank	1,632.72
Occupational Therapy	Key Bank	20,599.10

**10430 - WENDE CORRECTIONAL FACILITY**

Consolidated Advance	Alden State Bank	3,682.78
Employee Benefit Account	Alden State Bank	21,196.92
Inmate Savings	Alden State Bank	197,298.06
Inmates Funds	Alden State Bank	188,363.74
Misc. Receipts	Alden State Bank	5,120.97
Occupational Therapy	Alden State Bank	32,903.77

**10441 - DEPARTMENT OF CORRECTIONAL SERVICES-FOOD PRODUCTION CENTER**

Office of Nutritional Services		
Miscellaneous Receipts	Key Bank	24,105.00

**10450 - GOWANDA CORRECTIONAL FACILITY**

Advance Account	Community Bank	2,117.91
Employee Benefit Fund	Community Bank	16,603.74
Inmate Funds	Community Bank	166,318.10
Inmate Funds Savings	Community Bank	259,791.43
Miscellaneous Revenue	Community Bank	3,084.33
Occupational Therapy	Community Bank	16,291.61

**10460 - GROVELAND CORRECTIONAL FACILITY**

Agency Advance Account	Five Star Bank	1,816.67
Employee Commission Account	Five Star Bank	17,051.83
Inmate Funds Account	Five Star Bank	196,641.93
Inmate Funds Account - Savings	Five Star Bank	108,065.35
Miscellaneous Receipts Account	Five Star Bank	2,951.15
Occupational Therapy Account	Five Star Bank	11,560.89

**10470 - COLLINS CORRECTIONAL FACILITY**

Agency Advance	Community Bank	3,866.73
Employee Activities	Community Bank	38,458.13
Inmate Fund Checking	Community Bank	184,002.71
Inmate Savings	Community Bank	130,562.97
Miscellaneous Revenue	Community Bank	8,369.30
Occupational Therapy	Community Bank	10,438.44

**10480 - MID-STATE CORRECTIONAL FACILITY**

Agency Advance	Key Bank	1,607.38
Employee Benefit Fund	Bank of America, N.A.	37,315.92
Inmate Funds	Key Bank	309,408.52
Inmate Savings	Key Bank	198,756.43
Misc. Revenue	Key Bank	1,284.60
Occupational Therapy	Key Bank	35,836.62
<b>10490 - MARCY CORRECTIONAL FACILITY</b>		
Agency Advance Account	Key Bank	3,980.22
Employee Benefit Fund Account	Bank of America, N.A.	19,230.39
Inmate Fund Account	Key Bank	76,286.94
Misc receipts Acct	Key Bank	0.00
NYS DOCS Marcy CORR Facility	Key Bank	206,819.05
Occupational Therapy fund Acct	Key Bank	39,028.04
<b>10501 - CENTRAL PHARMACY</b>		
NYS Docs Central Pharmacy Advance Acct	Bank of America, N.A.	1,000.00
<b>10510 - MORIAH SHOCK INCARCERATION CORRECTIONAL FACILITY</b>		
Moriah Shock Incarceration Advance Acct	Glens Falls National	No report received
Moriah Shock Incarceration Employee Benefit Fund	Glens Falls National	No report received
Moriah Shock Incarceration Occ Therapy	Glens Falls National	No report received
Moriah Shock Misc Receipts	Glens Falls National	No report received
NYS Moriah Shock Incarceration Inmate Checking	Glens Falls National	No report received
<b>10530 - FRANKLIN CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	3,895.03
Employee Benefit Account	Key Bank	17,275.58
Inmate Funds	Key Bank	130,674.69
Inmate Occupational Therapy	Key Bank	16,098.77
Inmate Savings	Key Bank	217,723.73
Misc. Receipts	Key Bank	2,781.36
<b>10540 - ALTONA CORRECTIONAL FACILITY</b>		
Cons Adv Travel Petty Cash	NBT Bank	3,622.75
Employees Vending Benefit	NBT Bank	8,304.86
Inmates Funds	NBT Bank	90,661.04
Misc Revenues General Fund	NBT Bank	596.87
Occupational Therapy	NBT Bank	4,558.71
<b>10550 - CAYUGA CORRECTIONAL FACILITY</b>		
Agency Advance	First National Bank of Groton	1,342.84
Cert Of Deposit	First National Bank of Groton	87,477.22
Employee Benefit Fund	First National Bank of Groton	5,557.67
Inmate Occupational Therapy Account	First National Bank of Groton	29,150.97
Inmate Spendable	First National Bank of Groton	195,330.64
Misc Receipts	First National Bank of Groton	601.34
<b>10560 - BARE HILL CORRECTIONAL FACILITY</b>		
Agency Advance	Key Bank	1,882.00
Employee Benefit Fund	Key Bank	8,688.16
Inmate Spendable Funds	Key Bank	75,154.41
Key Public Money Market Checking	Key Bank	339,014.23
Miscellaneous Receipts	Key Bank	1,524.65
Occupational Therapy	Key Bank	14,588.84
<b>10570 - RIVERVIEW CORRECTIONAL FACILITY</b>		
Agency Advance Account	Key Bank	1,304.73
Inmate Accounts	Key Bank	53,892.36
Inmate Savings Account	Key Bank	105,647.46
Miscellaneous Receipts Account	Key Bank	13,414.02
Miscellaneous Receipts Account	Key Bank	0.00
Occupational Therapy	Key Bank	14,240.79
<b>10580 - CAPE VINCENT CORRECTIONAL FACILITY</b>		
Advance Account	Community Bank	1,900.00
Employee Benefit Fund	Community Bank	42,620.32
Inmate Occupation Therapy Acct	Community Bank	34,005.53
Inmate Savings	Community Bank	121,746.67
Inmate Spendable Account	Community Bank	69,286.13
Miscellaneous Receipts Account	Community Bank	5,336.73
<b>10600 - LAKEVIEW SHOCK INCARCERATION CORRECTIONAL FACILITY</b>		
Agency Advance	Community Bank	3,700.00
Employee Benefit Fund	Community Bank	15,444.51
Inmate Funds	Community Bank	49,003.33
Inmate Funds - Sav	Community Bank	84,662.80
Miscellaneous Revenue	Community Bank	2,259.46
Occupational Therapy	Community Bank	198.10
<b>10610 - ULSTER CORRECTIONAL FACILITY</b>		
Agency Advance	Bank of America, N.A.	0.00
Agency Advance	M&T Bank	1,184.14
Employee Benefit Fund	Bank of America, N.A.	0.00
Employee Benefit Fund	M&T Bank	6,755.32



Inmate Fund	Bank of America, N.A.	0.00
Inmate Fund	M&T Bank	173,655.23
Inmate Funds Savings	Bank of America, N.A.	0.00
Inmate Funds Savings	M&T Bank	12,306.71
Misc Receipts	M&T Bank	757.36
Misc. Receipts	Bank of America, N.A.	0.00
Occupational Therapy	Bank of America, N.A.	0.00
Occupational Therapy	M&T Bank	2,870.37
<b>10630 - SOUTHPORT CORRECTIONAL FACILITY</b>		
Advance Account	Chemung Canal Trust	836.42
Employee Benefit Fund	Chemung Canal Trust	14,275.12
Inmate Funds	Chemung Canal Trust	121,776.87
Inmate Funds Account	Chemung Canal Trust	69,950.29
Misc. Receipts Account	Chemung Canal Trust	350.39
Occupational Therapy Account	Chemung Canal Trust	27,159.13
<b>10640 - ORLEANS CORRECTIONAL FACILITY</b>		
Agency Advance	Bank of America, N.A.	2,250.00
Employee Benefit Fund	Bank of America, N.A.	10,360.31
Inmate Funds	Bank of America, N.A.	96,699.23
Inmate Savings	Bank of America, N.A.	108,270.74
Miscellaneous Receipts	Bank of America, N.A.	14,923.08
Occupational Therapy	Bank of America, N.A.	16,709.57
<b>10650 - WASHINGTON CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	2,436.18
EBF Account	Key Bank	7,144.97
General Account	Key Bank	0.00
Inmate Account	Key Bank	88,673.64
Inmate Funds Account Certificate Of Deposit	Glens Falls National	79,168.65
Inmate Savings Account	Key Bank	14,369.62
Occupational Therapy Account	Key Bank	14,793.07
<b>10660 - WYOMING CORRECTIONAL FACILITY</b>		
Agency Advance	Five Star Bank	6,300.00
Employee Benefit Fund	Five Star Bank	12,651.76
Inmate Occupational Therapy	Five Star Bank	26,349.36
Inmate Savings - Certificate of Deposit	Five Star Bank	25,000.00
Inmate Savings - Certificate of Deposit	Five Star Bank	25,000.00
Inmate Savings - Certificate of Deposit	Five Star Bank	25,000.00
Inmate Savings Account	Five Star Bank	52,036.00
Inmate Spendable	Five Star Bank	208,783.68
Misc. Receipts Account	Five Star Bank	6,493.83
<b>10670 - GREENE CORRECTIONAL FACILITY</b>		
Consolidated Advance	National Bank of Coxsackie	1,904.30
Employee Benefit Fund	National Bank of Coxsackie	21,590.09
Inmate Accounts	National Bank of Coxsackie	108,430.44
Inmate Savings	National Bank of Coxsackie	248,837.11
Misc. Receipts	National Bank of Coxsackie	0.00
Occupational Therapy	National Bank of Coxsackie	56,873.29
<b>10680 - SHAWANGUNK CORRECTIONAL FACILITY</b>		
Consolidated Advance Account	Key Bank	1,101.00
Inmate Funds	Key Bank	150,387.80
Inmates Funds Account	Key Bank	121,692.12
Misc. Receipts Account	Key Bank	4,627.83
Occupational Therapy Acct	Key Bank	32,337.81
<b>10690 - SULLIVAN CORRECTIONAL FACILITY</b>		
Consolidated Advance	Key Bank	2,350.00
Inmate Checking	Key Bank	144,071.07
Inmate Savings	Key Bank	100,502.70
Miscellaneous	Key Bank	7,653.11
Occupational Therapy	Key Bank	32,789.91
<b>10810 - GOUVERNEUR CORRECTIONAL FACILITY</b>		
Agency Advance	Community Bank	1,382.68
Inmate Occupational Therapy	Community Bank	19,921.45
Inmate Savings	Community Bank	175,005.29
Inmate Spendable Fund	Community Bank	113,717.00
Misc Receipts	Community Bank	14,252.43
<b>10820 - WILLARD DRUG TREATMENT CENTER</b>		
Consolidated Advance	Community Bank	1,000.00
Employee Benefit Fund	Community Bank	16,184.75
Inmate Funds	Community Bank	77,175.96
Inmate Occupational Therapy	Community Bank	10,491.07
Misc Receipts	Community Bank	194.25
<b>10840 - UPSTATE CORRECTIONAL FACILITY-AUDIT 1</b>		
Advance Account	Key Bank	1,721.12
Facility Committees	Key Bank	19,187.30

Inmate Fund	Key Bank	220,914.64
Inmate Occupational Therapy Fund	Key Bank	6,226.16
Miscellaneous Account	Key Bank	11.25
<b>10850 - HALE CREEK ASACTC</b>		
Consolidated Advance	Key Bank	675.00
Employee Benefit Fund	Bank of America, N.A.	8,019.25
Inmate Funds	Key Bank	132,406.43
Inmate Interest Bearing Account	Key Bank	15,000.38
Misc Receipts	Key Bank	80.00
Occupational Therapy	Key Bank	27,360.34
<b>10890 - CORRECTIONS AND COMMUNITY SUPERVISION</b>		
Asset Forfeiture Special Rev Acct	Bank of America, N.A.	307,462.76
Parole Supervision Fee	Wells Fargo Bank	36,384.85
<b>10916 - CENTRAL OFFICE - INDUSTRIES</b>		
Div of Ind Petty Cash Acct	Key Bank	7,594.62
Div of Ind Revenue Acct	Key Bank	60,433.91
<b>11000 - EDUCATION DEPARTMENT</b>		
Consolidated Advance Account	Key Bank	No report received
Consolidated Advance Account (Control Disbursement)	Key Bank	No report received
Revenue Account	Key Bank	No report received
<b>11100 - NYS HIGHER EDUCATION SERVICES CORPORATION</b>		
NYS HESC-Federal Student Loan Suspense	Key Bank	11,218.05
Operating	Key Bank	954,078.15
Retail Lockbox	US Bank	151,127.19
TAP	Key Bank	5,433.78
Wholesale Lockbox	US Bank	1,645,327.98
<b>11260 - BATAVIA SCHOOL FOR THE BLIND</b>		
Misc. Receipts	M&T Bank	1,066.29
Petty Cash	M&T Bank	3,726.99
Student Spending Account	Bank of America, N.A.	8,488.23
<b>11270 - ROME SCHOOL FOR THE DEAF</b>		
Miscellaneous Receipts	NBT Bank	5,384.31
Petty Cash	NBT Bank	2,000.00
Student Activity Fund	NBT Bank	14,577.64
<b>11280 - ARCHIVES PARTNERSHIP TRUST</b>		
Endowment	Janney Montgomery Scott LLC	5,414,307.23
Endowment - Special Account	Janney Montgomery Scott LLC	No report received
Trust's Board Project Account	Key Bank	178,944.12
<b>12000 - DEPARTMENT OF HEALTH CENTRAL ADMINISTRATION</b>		
CSA Rebate Account	Bank of America, N.A.	66,038.15
DOH EPIC Lockbox Acct	Wells Fargo Bank	84,819.69
DOH Main Cash Advance	Key Bank	17,623.55
Early Intervention - Municipal Deposits for Provider Pymts	Key Bank	0.00
Early Intervention - Provider Payments Escrow	Key Bank	27,114.67
Early Intervention - State Funds	Key Bank	16,236.71
EPIC Co Pay Account	Bank of America, N.A.	0.00
Epic Drug Manufacturer Rebate Account	Bank of America, N.A.	62,841.05
EPIC EFT Acct	Bank of America, N.A.	0.00
EPIC Master Funding Acct	Bank of America, N.A.	339,030.68
EPIC Provider Receipt Account	Bank of America, N.A.	0.00
EPIC Refund Acct	Bank of America, N.A.	0.00
eWIC	Wells Fargo Bank	34,552.68
General Account	M&T Bank	67,418.22
ICR Audit Fees Account	Bank of America, N.A.	18,480.08
Indian Health Disbursement Account	Bank of America, N.A.	0.00
Indian Health-Master Acct	Bank of America, N.A.	16,339.77
Medicaid	Key Bank	133,753.41
Medicaid Audit Recoveries Acct	Key Bank	0.00
Medicaid Insurance Recoveries Acct	Bank of America, N.A.	276,098.92
Nurses Aide Fees (Prometric)	Bank of America, N.A.	31,468.60
Nursing Home Fees Account	Bank of America, N.A.	50,868.77
NYS DOH CLEP Revenue	Key Bank	1,478.22
OBRA Drug Rebate Program Acct	Bank of America, N.A.	1,186,522.77
SPARCS	Key Bank	29,757.26
<b>12010 - ROSWELL PARK MEMORIAL INSTITUTE</b>		
Office Of Patient Accounts	M&T Bank	2,689,881.63
<b>12030 - HELEN HAYES HOSPITAL</b>		
Misc. Receipts	JPMorgan Chase Bank, N.A.	475,950.28
Petty Cash Account	JPMorgan Chase Bank, N.A.	12,145.69
Rental Deposit Acct	JPMorgan Chase Bank, N.A.	5,976.92
<b>12120 - NYS VETERANS HOME-OXFORD</b>		
Agency Advance	NBT Bank	12,802.71
Exchange Account	NBT Bank	68,903.88
Maintenance Fund	NBT Bank	731,659.15

NYS Veterans Home-Oxford (Resident Account, Custodial Account)	NBT Bank	319,321.83
Resident Custodial Account	NBT Bank	3,856.84
Resident Custodial Account	NBT Bank	5,055.71
Resident Custodial Account	NBT Bank	2,298.24
Resident Custodial Account	NBT Bank	50,686.42
Resident Custodial Account	NBT Bank	119.85
Resident Custodial Account	NBT Bank	2,923.61
Resident Custodial Account	NBT Bank	11,828.75
Resident Custodial Account	NBT Bank	9,876.72
Resident Custodial Account	NBT Bank	5,073.53
Resident Custodial Account	NBT Bank	1,381.33
Resident Custodial Account	NBT Bank	1,162.74
<b>12150 - NYS VETERANS HOME-ST ALBANS</b>		
NYC Veteran Home Agency Advance	JPMorgan Chase Bank, N.A.	89,600.84
St Albans NYC Vet Home Resid Funds	JPMorgan Chase Bank, N.A.	793,280.95
St Albans Vet Home Maintenance Acct	NBT Bank	712,035.22
<b>12180 - WESTERN NEW YORK VETERANS HOME</b>		
Advance Account	Bank of America, N.A.	5,500.00
Exchange Account	Bank of America, N.A.	16,031.27
Maintenance Account	NBT Bank	454,608.13
Resident Funds	Bank of America, N.A.	69,992.87
<b>12190 - VETERANS HOME AT MONTROSE</b>		
Agency Advance Account	Bank of America, N.A.	14,762.76
Maintenance Acct	NBT Bank	790,067.90
Residence Account	Bank of America, N.A.	550,573.65
<b>12200 - OFFICE OF MEDICAID INSPECTOR GENERAL</b>		
Albany Confidential Account	Key Bank	229.59
Albany Petty Cash Account	Key Bank	442.00
NYC Confidential Account	JPMorgan Chase Bank, N.A.	166.00
<b>14000 - DEPARTMENT OF LABOR</b>		
Agency Advance Account	Key Bank	27,560.00
Exchange Account	Bank of America, N.A.	5,494.32
Fee And Permit Account	Key Bank	369,453.38
Min Wage & Claim Funding Acct	Key Bank	83,173.34
Minimum Wage & Wage Claim Acct	Key Bank	789,956.20
Misc Receipts	Bank of America, N.A.	222,726.44
U.I. Fund Clearing Account	JPMorgan Chase Bank, N.A.	11,683,656.49
UI Fund ACH Transactions	Wells Fargo Bank	1,000,000.00
<b>14010 - WORKERS COMPENSATION BOARD</b>		
DTF/WCB MAC 14	JPMorgan Chase Bank, N.A.	241,348,758.27
<b>16000 - PUBLIC SERVICE COMMISSION</b>		
Cable Account	Key Bank	5,809.49
Petty Cash Account	Key Bank	3,990.80
Special Fee Account	Key Bank	38,048.52
<b>17000 - NYS DEPARTMENT OF TRANSPORTATION</b>		
Contractors Bid And Guarantee	Key Bank	155,213.81
Main Office Advance For Travel	Key Bank	52,901.30
PARTNERS DOT -HOOCs	Key Bank	3,772,965.03
Revenue Unit	Key Bank	487,338.46
Republic Airport, Long Island		
Republic Airport Revenue Acct	JPMorgan Chase Bank, N.A.	196,430.47
<b>19000 - DEPARTMENT OF STATE</b>		
Atheltic	M&T Bank	6,950.00
Licensing Revenue Account	JPMorgan Chase Bank, N.A.	698,159.34
Main	M&T Bank	93,269.63
Petty Cash Account	Key Bank	19,126.52
Summons	M&T Bank	310,522.05
<b>19001 - TUG HILL COMMISSION</b>		
Agency Advance Account	Key Bank	No report received
<b>19002 - LAKE GEORGE PARK COMMISSION</b>		
Petty Cash Account	Glens Falls National	No report received
Revenue Transfer Account	Glens Falls National	No report received
<b>19005 - COMMISSION ON PUBLIC INTEGRITY</b>		
JCOPE Petty Cash Account	Bank of America, N.A.	No report received
JCOPE Revenue Account	Bank of America, N.A.	No report received
<b>20000 - DEPARTMENT OF TAXATION &amp; FINANCE</b>		
IFTA Funding	JPMorgan Chase Bank, N.A.	3,022.14
Misc Tax Account - Exchange	Bank of America, N.A.	59,694.44
Off Track Betting Tax (MAC 848)	Key Bank	2,619,987.30
Pari Mutuel Betting Tax (MAC 847)	Key Bank	1,068.67
Petty Cash	Bank of America, N.A.	14,850.00
Tax Preparer Registration Fee (EFT)	Wells Fargo Bank	128,900.00
Waste Tire Fee (EFT)	Wells Fargo Bank	2,168,807.25
Waste Tire Tax	JPMorgan Chase Bank, N.A.	28,568.61

**20050 - NEW YORK STATE GAMING COMMISSION**

Charitable Gaming Account  
 Commercial Gaming Revenue Account  
 Custody Account  
 Fingerprint Concentration Account  
 License Revenue Account  
 Lottery Concentration Account  
 Lottery Prize Payment Account  
 Lottery Subscriptions Account  
 Petty Cash Account  
 Racing Refund Account  
 Video Gaming Revenue Account

Key Bank 82,589.55  
 Key Bank 0.00  
 US Bank 12,688.61  
 Key Bank 15,675.86  
 Bank of America, N.A. 43,218.81  
 Key Bank 0.00  
 Key Bank 0.00  
 Key Bank 692,035.90  
 Key Bank 897.42  
 Key Bank 508,368.96  
 Key Bank 7,243,039.91

**21012 - WELFARE INSPECTOR GENERAL**

Confidential Fund  
 Confidential Fund  
 Petty Cash

Bank of America, N.A. 15,000.00  
 JPMorgan Chase Bank, N.A. No report received  
 JPMorgan Chase Bank, N.A. No report received

**21110 - OFFICE OF REGULATORY REFORM**

Petty Cash

Key Bank No report received

**21190 - NYS ENERGY RESEARCH & DEVELOPMENT AUTHORITY**

NYSERDA Greenbank MAC 26  
 NYSERDA Main Checking MAC 30

JPMorgan Chase Bank, N.A. No report received  
 JPMorgan Chase Bank, N.A. (10,008,825.35)

**21290 - HUDSON RIVER-BLACK RIVER REGULATING DISTRICT**

Checking- General Fund Acct.  
 Checking- Petty Cash Fund  
 Hudson River General Acct  
 Money Market  
 Petty Cash Fund

Community Bank 35,948.65  
 Community Bank 5,000.00  
 Bank of America, N.A. 446,514.70  
 Bank of America, N.A. 0.38  
 Bank of America, N.A. 6,500.00

**21700 - OFFICE OF THE STATE INSPECTOR GENERAL**

Office Of The State Inspector General Pass Thru Account  
 OSIG Petty Cash Account

Key Bank 0.00  
 Key Bank 1,474.13

Albany

Office of the Inspector General Confidential

Bank of America, N.A. 27,700.00

**21820 - STATE COMMISSION ON JUDICIAL CONDUCT**

Petty Cash Account  
 Petty Cash Account  
 Petty Cash Fund

JPMorgan Chase Bank, N.A. 608.85  
 Key Bank 902.00  
 JPMorgan Chase Bank, N.A. 1,604.60

**21940 - NYS FINANCIAL CONTROL BOARD**

Agency Advance Acct

JPMorgan Chase Bank, N.A. No report received

**23000 - DEPARTMENT OF MOTOR VEHICLES**

Albany Central Main Acct  
 Albany Central Main Acct  
 Albany Central Main Exchange  
 Exchange  
 Albany Central Office  
 Title Escrow Exchange (Albany Central Office)  
 Albany TVB Sub (Albany Central Office)  
 Adjudication Account  
 Administrative Adj  
 Albany-Region 3  
 Confidential Inv Subpoena - Albany  
 Allegany-Belmont  
 County Clerk Fee Allegany  
 Andirondack Mountains  
 County Fee Account  
 Buffalo-Region 5  
 MV- Buffalo Investigator & Subpoena  
 Capital Saratoga Revenue  
 County Fee Account  
 Catskill Mountains  
 County Fee Account  
 Central Leatherstocking  
 County Fee Account  
 Chautauqua-Steuben  
 County Fee Acct  
 Chautauqua County  
 Holding Acct-Chautauqua County  
 Holding Acct-Chautauqua County  
 Holding Acct-Chautauqua County  
 Concentration (CTY)(OSC)  
 Concentration (CTY)(OSC)  
 Concentration (DO)(OSC)  
 Concentration (DO)(OSC)  
 Confidential Fund (Albany Central Office)  
 Confidential Fund

Wells Fargo Bank No report received  
 Wells Fargo Bank No report received  
 Wells Fargo Bank No report received  
 Wells Fargo Bank No report received  
 Wells Fargo Bank No report received  
 M&T Bank No report received  
 Key Bank No report received  
 Steuben Trust Co. No report received  
 JPMorgan Chase Bank, N.A. No report received  
 M&T Bank No report received  
 JPMorgan Chase Bank, N.A. No report received  
 JPMorgan Chase Bank, N.A. No report received  
 JPMorgan Chase Bank, N.A. No report received  
 JPMorgan Chase Bank, N.A. No report received  
 Community Bank No report received  
 Key Bank No report received  
 M&T Bank No report received  
 Key Bank No report received  
 Key Bank No report received  
 Bank of America, N.A. No report received



CTY Credit Card (Albany Central Office)	JPMorgan Chase Bank, N.A.	No report received
County Office Credit Card Account		
Customer Service Counter (Albany)		
NYS DMV CSC	Wells Fargo Bank	No report received
D.O. Credit Card (Albany Central Office)		
District Office Credit Card Account	JPMorgan Chase Bank, N.A.	No report received
DMV Division Of Field Investigations - Albany Central Office		
Field Investigation	M&T Bank	No report received
Downstate		
Revenue Account - Downstate	Wells Fargo Bank	No report received
Eric County Revenue		
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Finger Lakes First		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Finger Lakes Second		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Genesee County		
Genesee County Clerk - DMV	Bank of Castile	No report received
Greene County		
Fee Account - Greene	Greene County Commercial Bank	No report received
Hudson Valley		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
IRP (Albany Central Office)		
International Registration	M&T Bank	No report received
International Registration	Wells Fargo Bank	No report received
IRP Exchange (Albany Central Office)		
Irp Internet Office - Dept. MV	M&T Bank	No report received
Kiosk		
Kiosk Account	JPMorgan Chase Bank, N.A.	No report received
Long Island/Staten Island DO		
Long Island/Staten Island DO	Wells Fargo Bank	No report received
Long Island/Staten Island JP		
Long Island/Staten Island (Mass/Med)	JPMorgan Chase Bank, N.A.	No report received
Nassau Region 1		
Div. of Vehicle Safety	Citibank	No report received
Niagara Frontier		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Oneida County		
DMV Oneida County Fee Account	Bank of Utica	No report received
Oneida County Fee Account	NBT Bank	No report received
Petty Cash (Albany Central Office)		
Petty Cash	Bank of America, N.A.	No report received
Queens-Region 6		
Confidential - Queens	JPMorgan Chase Bank, N.A.	No report received
Rockland/Westchester DO		
Rockland/Westchester DO	Wells Fargo Bank	No report received
Search Exchange (Albany Central Office)		
MV Search	Key Bank	No report received
Search Exchange (Albany Central Office)		
MV Search	Wells Fargo Bank	No report received
Syracuse-Region 4		
Confidential - Syracuse	Key Bank	No report received
Thousand Island Seaway		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
TLC/DOCCS		
TLC/DOCCS	JPMorgan Chase Bank, N.A.	No report received
Travel Advance (Albany Central Office)		
Travel Advance	Bank of America, N.A.	No report received
TVB Acct		
TVB Acct	Wells Fargo Bank	No report received
TVB Credit Card (Albany Central Office)		
TVB Credit Card Receipts	JPMorgan Chase Bank, N.A.	No report received
Upstate DO		
Upstate District Offices (ALB, SYD, SYS, UTD)	Wells Fargo Bank	No report received
Utica D.O.		
Exchange Account	Bank of Utica	No report received
Revenue Utica	Bank of Utica	No report received
Yonkers-Region 2		
Safety Sup Automotive FAC INSP	JPMorgan Chase Bank, N.A.	No report received
<b>25000 - OFFICE OF CHILDREN &amp; FAMILY SERVICES</b>		
Brentwood Resid Center Cash Advance	JPMorgan Chase Bank, N.A.	No report received
Brentwood Residents' Account	JPMorgan Chase Bank, N.A.	No report received
Brookwood Cash Advance	Key Bank	No report received
Brookwood Resid Residential Cash	Key Bank	No report received

Check Exchange	Bank of America, N.A.	No report received
CO Independent Living Acct	Bank of America, N.A.	No report received
Co. Training Employment Dev (Youth Stipend)	Bank of America, N.A.	No report received
Columbia Girls Secure Center-Advance Acct	Key Bank	No report received
Columbia Girls Secure Center-Youth Savings	Key Bank	No report received
Finger Lakes Res Ctr Residents Cash	Tompkins County Trust	No report received
Fingerlakes Res Ctr Cash Advance	Tompkins County Trust	No report received
Goshen Cash Advance	Bank of America, N.A.	No report received
Goshen Residents Account	Bank of America, N.A.	No report received
Harriet Tubman Advance Account	Key Bank	No report received
Harriet Tubman Residents' Account	Key Bank	No report received
Highland Res Ctr Petty Cash Account	Bank of America, N.A.	No report received
Highland Res Ctr Residents Acct	Bank of America, N.A.	No report received
Home Office Care & Maintenance Account	Bank of America, N.A.	No report received
Industry Advance Account	JPMorgan Chase Bank, N.A.	No report received
Industry Res Account	JPMorgan Chase Bank, N.A.	No report received
Industry School Dug-Out	JPMorgan Chase Bank, N.A.	No report received
MacCormick Cash Advance	Tompkins County Trust	No report received
MacCormick Residents' Account	Tompkins County Trust	No report received
Medicaid Reimbursement Exchange	Bank of America, N.A.	No report received
NYS OCFS Advance Acct (Travel & Misc P.C.)	Bank of America, N.A.	No report received
NYS OCFS Salary Advance Account	Bank of America, N.A.	No report received
Queens-Long Island Aftercare	JPMorgan Chase Bank, N.A.	No report received
Red Hook Res Ctr Resident Cash	Key Bank	No report received
Red Hook Resid Ctr Cash Advance	Key Bank	No report received
SCR Credit Card Revenue Account	Bank of America, N.A.	No report received
State Central Register	Bank of America, N.A.	No report received
Taberg Cash Advance	NBT Bank	No report received
Taberg Residents Account	NBT Bank	No report received
Youth Leadership Academy	NBT Bank	No report received
Youth Leadership Cash Advance	NBT Bank	No report received
<b>27000 - OFFICE OF TEMPORARY &amp; DISABILITY ASSISTANCE</b>		
Exchange Account	Key Bank	20.70
Title IV D Of Social Security	Key Bank	1,095,891.69
Travel Advance	Key Bank	10,001.14
<b>28010 - SUNY ALBANY</b>		
Fee Account	Key Bank	(266,882.36)
Loan Services Center Account	Key Bank	69,934.88
Petty Cash/Travel Advance	Key Bank	No report received
<b>28020 - SUNY BINGHAMTON</b>		
SUNY Binghamton	M&T Bank	239,245.63
SUNY Binghamton - Controlled Disb	M&T Bank	No report received
<b>28030 - SUNY BUFFALO</b>		
Controlled Disbursement Account	Bank of America, N.A.	No report received
General Revenue Account	Bank of America, N.A.	No report received
General Revenue Account	Key Bank	377,445.36
Imprest Account	Key Bank	No report received
<b>28050 - SUNY STONY BROOK</b>		
Central Funding	JPMorgan Chase Bank, N.A.	4,748,267.15
Controlled Disbursement	JPMorgan Chase Bank, N.A.	No report received
Fees Depository	JPMorgan Chase Bank, N.A.	1,312,236.51
LISVH Fees Depository	JPMorgan Chase Bank, N.A.	355,781.57
LISVH Fees Depository	Sterling Bank	370,840.52
LISVH Residence Fund	Sterling Bank	395,333.05
Payroll Advance	JPMorgan Chase Bank, N.A.	4,851.05
SBU Student Refunds Cont Disb Acct	JPMorgan Chase Bank, N.A.	No report received
Student ACH Refunds Account	JPMorgan Chase Bank, N.A.	No report received
SUNY Eastern Long Island Hospital Depository	JPMorgan Chase Bank, N.A.	517,092.61
SUNY Southampton Depository	JPMorgan Chase Bank, N.A.	799,668.85
University Hosp Fees Depository	JPMorgan Chase Bank, N.A.	8,139,811.27
University Hospital Petty Cash	JPMorgan Chase Bank, N.A.	1,909.35
<b>28100 - SUNY HEALTH SCIENCE CENTER AT BROOKLYN</b>		
Center Revenue	JPMorgan Chase Bank, N.A.	481,654.23
EFT Federal Deposits Acct	JPMorgan Chase Bank, N.A.	No report received
Hospital Controlled Disbursement	JPMorgan Chase Bank, N.A.	No report received
Hospital Revenue	JPMorgan Chase Bank, N.A.	1,399,582.00
LICH Controlled Disbursement	JPMorgan Chase Bank, N.A.	No report received
LICH Depository	JPMorgan Chase Bank, N.A.	43,466.79
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
Student Refunds	JPMorgan Chase Bank, N.A.	No report received
<b>28110 - SUNY HEALTH SCIENCE CENTER AT SYRACUSE</b>		
College Revenue	Key Bank	654,891.36
Controlled Disbursement	Key Bank	0.00
Hospital Revenue	Key Bank	4,782,271.69

Parking	Key Bank	522,503.40
<b>28150 - SUNY BROCKPORT</b>		
Brockport-REOC Account	Key Bank	254.84
Concentration Acct	M&T Bank	293,267.33
Controlled Disb	M&T Bank	No report received
<b>28160 - SUNY BUFFALO STATE COLLEGE</b>		
Controlled Disb	M&T Bank	No report received
Dept Public Safety	M&T Bank	No report received
Special Grant Account	M&T Bank	3,323.14
Students Acct Office	M&T Bank	117,332.98
<b>28170 - SUNY CORTLAND</b>		
General Checking Account	Key Bank	191,748.62
<b>28180 - SUNY FREDONIA</b>		
Controlled Disb	M&T Bank	No report received
Depository Account	M&T Bank	38,936.84
<b>28190 - SUNY GENESEO</b>		
Controlled Disbursement Account	Key Bank	No report received
State Fees	Key Bank	134,789.83
<b>28200 - SUNY OLD WESTBURY</b>		
Local Depository	JPMorgan Chase Bank, N.A.	30,747.07
<b>28210 - SUNY NEW PALTZ</b>		
Disbursement Account	Key Bank	No report received
State Revenue	Key Bank	130,935.91
<b>28220 - SUNY ONEONTA</b>		
Petty Cash Advance Account	NBT Bank	No report received
Revenue Account	NBT Bank	1,900,501.21
<b>28230 - SUNY OSWEGO</b>		
Controlled Disbursement	Key Bank	No report received
General Revenue	Key Bank	93,580.09
Imprest Account	Key Bank	No report received
<b>28240 - SUNY PLATTSBURGH</b>		
General Revenue	TD Bank	2,923,103.41
<b>28250 - SUNY POTSDAM</b>		
Control Disbursement Account	Key Bank	No report received
State Fee Reconciliation Account	Key Bank	196,338.07
<b>28260 - SUNY PURCHASE</b>		
General Income Fund	Key Bank	158,607.96
<b>28270 - SUNY INSTITUTE OF TECHNOLOGY UTICA/ROME</b>		
Advance Account	Bank of America, N.A.	No report received
Controlled Disbursement Account	Bank of America, N.A.	No report received
Revenue	Bank of America, N.A.	140,337.60
<b>28280 - SUNY EMPIRE STATE COLLEGE</b>		
Concentration Account	Key Bank	295,104.47
Distribution Center Account	Key Bank	123,936.72
International Wire Account	Key Bank	2,744.00
Zero Balance Controlled Disbursement Account	Key Bank	No report received
<b>28350 - SUNY COLLEGE OF TECHNOLOGY AT ALFRED</b>		
Fees Account	Community Bank	1,873,247.03
<b>28360 - SUNY COLLEGE OF TECHNOLOGY AT CANTON</b>		
Community Cash Deposits	NBT Bank	305,342.84
Income Fund	Key Bank	128,246.00
International Program Account	Key Bank	37,521.36
<b>28370 - SUNY AGRICULTURAL &amp; TECHNICAL COLLEGE AT COBLESKILL</b>		
Income Fund	Key Bank	101,419.07
<b>28380 - SUNY COLLEGE OF TECHNOLOGY AT DELHI</b>		
General Revenue	Delaware National Bank	88,519.46
Petty Cash Fund	Delaware National Bank	0.00
<b>28390 - SUNY COLLEGE OF TECHNOLOGY AT FARMINGDALE</b>		
Income Fund	Citibank	357,789.94
<b>28400 - SUNY AGRICULTURAL &amp; TECHNICAL COLLEGE AT MORRISVILLE</b>		
Income Fund	Key Bank	1,681,133.60
Revenue Account	NBT Bank	11,007.67
<b>28550 - SUNY COLLEGE OF ENVIRONMENTAL SCIENCE &amp; FORESTRY</b>		
Agency Advance	Key Bank	No report received
Controlled Disb	Key Bank	No report received
ESF/GSA	Key Bank	No report received
Forestry	Community Bank	193.28
Regular Account	Key Bank	64,081.65
Student Government	Key Bank	No report received
<b>28570 - SUNY MARITIME COLLEGE</b>		
Controlled Disbursement Account	JPMorgan Chase Bank, N.A.	No report received
Cruise Account	JPMorgan Chase Bank, N.A.	No report received
Revenue Deposit Account	JPMorgan Chase Bank, N.A.	317,377.26
Revenue EFT Account	JPMorgan Chase Bank, N.A.	17,676.01

<b>28580 - SUNY COLLEGE OF OPTOMETRY</b>		
General Revenue	JPMorgan Chase Bank, N.A.	162,801.73
Medical Transportation	JPMorgan Chase Bank, N.A.	221.88
<b>28650 - SUNY CENTRAL SYSTEM ADMINISTRATION</b>		
ASC	Key Bank	10,000.00
NYS Iso	Key Bank	4,700,000.00
Revenue	Key Bank	170,894.51
<b>37000 - DEPARTMENT OF FINANCIAL SERVICES</b>		
Confidential Investigations	JPMorgan Chase Bank, N.A.	9,020.62
Confidential Investigations	JPMorgan Chase Bank, N.A.	11,202.85
Fire Tax Account (Main)	Key Bank	59,624.38
Fire Tax Payment	Key Bank	0.00
General Assessment Account	JPMorgan Chase Bank, N.A.	507,223.06
General Fund	Key Bank	216,018.03
Market Stabilization Pool Account	JPMorgan Chase Bank, N.A.	3,284,149.89
Miscellaneous Account	JPMorgan Chase Bank, N.A.	231,495.87
Paid Family Leave	JPMorgan Chase Bank, N.A.	0.00
Petty Cash	Key Bank	9,737.18
Workers Comp Insurance Sec Fund Pymnt	JPMorgan Chase Bank, N.A.	158,112.61
<b>49010 - SARATOGA-CAPITAL DISTRICT STATE PARK COMMISSION</b>		
Revenue (SA)	Glens Falls National	47,026.41
SARATOGA REGION CONTRACTORS BID ACCOUNT	Key Bank	88,231.68
<b>49020 - LONG ISLAND STATE PARK COMMISSION</b>		
Contractors Bid (LI)	JPMorgan Chase Bank, N.A.	76,715.93
Regional Account (LI)	Bank of America, N.A.	1.00
Regional Account 2 (LI)	JPMorgan Chase Bank, N.A.	308,767.89
Revenue (LI)	People's United Bank	55,061.60
<b>49030 - GENESEE STATE PARK COMMISSION</b>		
Contractors Bid (GE)	Bank of Castile	52,017.55
Revenue (GE)	Bank of Castile	294,300.88
<b>49040 - NIAGARA FRONTIER STATE PARK COMMISSION</b>		
Contractors Bid (NIA)	Key Bank	833.47
Revenue (NIA)	Evans National Bank	35,082.47
<b>49050 - PALISADES INTERSTATE STATE PARK COMMISSION</b>		
Contractors Bid (PA)	JPMorgan Chase Bank, N.A.	3,253.04
<b>49070 - OFFICE OF PARKS &amp; RECREATION</b>		
Main Office - Change Fund	Key Bank	100,685.00
Main Office Account (ALB)	Key Bank	1,500.00
OPRHP Concentration Account	Key Bank	147,699.52
Petty Cash (ALB)	Key Bank	29,703.20
Revenue (NI, GE, AL, CE, TA)	M&T Bank	46,271.88
Revenue (NYC, CE, LI, PA, TA)	JPMorgan Chase Bank, N.A.	60,498.70
Revenue (SA, LI, GE, NI, CE, TA)	Bank of America, N.A.	4,205.41
Revenue (SA, NI, PA, CE, TA, TI)	Key Bank	38,793.50
Revenue (various)	Wells Fargo Bank	50,718.12
Statewide Campsite/Cabin Revenue	JPMorgan Chase Bank, N.A.	1,762.46
Statewide Credit Card Revenue, Revenue (ALB, FL, LI, PA, TI)	Key Bank	280,214.02
Statewide Housing Security Deposits	Key Bank	141,200.51
<b>49090 - FINGER LAKES STATE PARK COMMISSION</b>		
Contractors Bid (FL)	Tompkins County Trust	20,517.78
Revenue (FL)	Savannah Bank	34,207.11
Revenue (FL-Multi)	Community Bank	807.56
Revenue (FL-Multi-Facilities)	Tompkins County Trust	138,854.24
<b>49100 - ALLEGANY STATE PARK COMMISSION</b>		
Contractors Bid (AL)	Five Star Bank	868.00
Regional Account (AL)	Five Star Bank	135,848.29
Revenue (AL)	Five Star Bank	59,522.40
<b>49120 - CENTRAL NEW YORK STATE PARK COMMISSION</b>		
Contractors Bid (CE)	JPMorgan Chase Bank, N.A.	21,065.27
Revenue (CE, SA, TI)	NBT Bank	34,072.44
<b>49130 - TACONIC STATE PARK COMMISSION</b>		
Contractors Bid (TA)	M&T Bank	898.70
<b>49140 - THOUSAND ISLANDS STATE PARK COMMISSION</b>		
Revenue (TI)	Citizens Bank	35,740.35
Revenue (TI-Multi)	Community Bank	58.56
<b>50000 - OFFICE OF MENTAL HEALTH</b>		
Consolidated Advance	Bank of America, N.A.	29,956.60
Iterim Assistance Agreement	Bank of America, N.A.	No report received
OMH Medication Grant Program Acct	Bank of America, N.A.	9,836.80
Reimbursement Account	Bank of America, N.A.	No report received
<b>50010 - GREATER BINGHAMTON HEALTH CENTER</b>		
Agency Advance Account	JPMorgan Chase Bank, N.A.	6,663.88
Facility Holding Account	JPMorgan Chase Bank, N.A.	12,215.04
Patient Cash Funds	JPMorgan Chase Bank, N.A.	450,941.58



Patients Cash Account	JPMorgan Chase Bank, N.A.	462,854.85
Security Deposit	JPMorgan Chase Bank, N.A.	4,089.43
<b>50020 - KINGSBORO PSYCHIATRIC CENTER</b>		
Advance Account	Banco Popular	14,099.86
Family Care	Banco Popular	14,290.87
Holding Account	Banco Popular	229,249.42
Medicaid Outpatient Travel	Banco Popular	440.17
Patient Cash Acct (MM)	Banco Popular	394,835.83
Patient Checking Account	Citibank	27,329.87
Patient Savings Account	Banco Popular	334,968.96
Security Deposit	Banco Popular	2,489.28
Urban Oasis/EBT	Banco Popular	56,395.32
<b>50030 - BUFFALO PSYCHIATRIC CENTER</b>		
Advance Account	Key Bank	32,571.04
Facility Holding	Key Bank	3,537.42
Patient Cash Checking	Key Bank	384,271.15
<b>50080 - MANHATTAN PSYCHIATRIC CENTER</b>		
Advance Account	Sterling Bank	16,830.97
CD	Hudson Valley National Bank	425,038.94
General Fund Checking	Hudson Valley National Bank	4,890.15
Patient Cash Checking	Hudson Valley National Bank	915,927.56
Patients Money Market	Hudson Valley National Bank	72,892.94
Social Service Tokens	Hudson Valley National Bank	33,966.77
<b>50110 - ROCHESTER PSYCHIATRIC CENTER</b>		
Agency Advance	Key Bank	33,217.92
Facility Holding	Key Bank	11,911.00
Patients Cash Account	Key Bank	250,787.25
Patients Fund Savings	Key Bank	158,596.34
<b>50120 - ST LAWRENCE PSYCHIATRIC CENTER</b>		
Facility Advance Account	Community Bank	18,106.43
Facility Holding Account	Community Bank	23,780.22
Patients Cash Account	Community Bank	29,128.43
Patients Cash Savings	Community Bank	251,112.83
<b>50150 - CREEDMOOR PSYCHIATRIC CENTER</b>		
Advance Account	HSBC	51,528.66
Certificate Of Deposit	HSBC	250,000.00
Certificate Of Deposit	HSBC	150,000.00
Holding Account	HSBC	17,015.23
Medicaid Travel Account	HSBC	0.00
Money Management Account	HSBC	744,963.55
Patient Cash Account	HSBC	92,867.22
Rent Holding Account	HSBC	3,821.00
<b>50170 - ROCKLAND PSYCHIATRIC CENTER</b>		
Exchange	JPMorgan Chase Bank, N.A.	125,191.09
Holding Account	JPMorgan Chase Bank, N.A.	299,336.38
Investment CD A	Sterling Bank	100,000.00
INVESTMENT CD B	Sterling Bank	100,000.00
Investment CD C	Sterling Bank	100,000.00
Investment CD D	Sterling Bank	100,000.00
Investment CD G	Sterling Bank	100,000.00
Investment CD I	Sterling Bank	100,000.00
Patient Cash Account	JPMorgan Chase Bank, N.A.	129,680.36
Patient Cash Checking Account	JPMorgan Chase Bank, N.A.	998,978.24
Patient Cash Savings Account	JPMorgan Chase Bank, N.A.	569,412.97
<b>50180 - NYS PSYCHIATRIC INSTITUTE</b>		
Donation & Gift Acct/Patient Fund Acct	JPMorgan Chase Bank, N.A.	4,559.21
General	JPMorgan Chase Bank, N.A.	47,891.99
Petty Cash	JPMorgan Chase Bank, N.A.	1,003.84
<b>50190 - RICHARD H HUTCHINGS PSYCHIATRIC CENTER</b>		
Advance Account	Key Bank	15,799.98
Clients Count	Key Bank	157,991.50
Holding Account	Key Bank	16,752.78
<b>50200 - PILGRIM PSYCHIATRIC CENTER</b>		
Facility Advance Account	JPMorgan Chase Bank, N.A.	56,168.00
Facility Holding Acct	JPMorgan Chase Bank, N.A.	187,258.79
Patient Cash	JPMorgan Chase Bank, N.A.	1,186,853.43
<b>50210 - MOHAWK VALLEY PSYCHIATRIC CENTER</b>		
Advance Fund	Key Bank	13,351.00
Facility Holding	Key Bank	1,664.42
Patient Cash Checking	Key Bank	50,612.72
Patient Cash Savings	Key Bank	28,931.06
Security Deposit	Key Bank	7,773.15
<b>50310 - BRONX PSYCHIATRIC CENTER</b>		
CD	JPMorgan Chase Bank, N.A.	250,000.00

Consolidated Advance	JPMorgan Chase Bank, N.A.	18,104.82
Misc. Receipts	JPMorgan Chase Bank, N.A.	27,171.38
Patients Cash MM	JPMorgan Chase Bank, N.A.	88,214.03
Patients Checking Acct	JPMorgan Chase Bank, N.A.	491,702.10
<b>50340 - NATHAN KLINE INSTITUTE</b>		
Petty Cash Account	JPMorgan Chase Bank, N.A.	1,300.00
<b>50350 - KIRBY FORENSIC PSYCHIATRIC CENTER</b>		
Consolidated Advance Account	Hudson Valley National Bank	7,422.70
Holding Account	Hudson Valley National Bank	30,869.90
Patient Cash Account	Hudson Valley National Bank	108,732.70
<b>50390 - CENTRAL NY PSYCHIATRIC CENTER</b>		
Agency Advance Account	Key Bank	9,613.34
General Fund	Key Bank	3,722.18
Patient Checking	Key Bank	47,354.16
Patient Savings	Key Bank	246,509.40
Security Deposit	Key Bank	2,743.20
<b>50440 - MID-HUDSON FORENSIC PSYCHIATRIC CENTER</b>		
Facility Advance Account	Key Bank	11,804.18
Facility Holding Account	Key Bank	1,909.75
Patients Account	Key Bank	208,684.83
<b>50520 - BROOKLYN CHILDRENS PSYCHIATRIC CENTER</b>		
Petty Cash Advance Account	Banco Popular	4,940.00
<b>50790 - SOUTH BEACH PSYCHIATRIC CENTER</b>		
Agency Advance Checking	JPMorgan Chase Bank, N.A.	5,953.64
Facility Holding Checking	JPMorgan Chase Bank, N.A.	12,959.89
Family Care Checking	JPMorgan Chase Bank, N.A.	0.00
Patients Cash Checking	JPMorgan Chase Bank, N.A.	579,248.96
<b>50800 - BRONX CHILDRENS PSYCHIATRIC CENTER</b>		
General Fund	JPMorgan Chase Bank, N.A.	11,170.06
<b>50810 - WESTERN NY CHILDRENS PSYCHIATRIC CENTER</b>		
Agency Advance	Key Bank	1,126.18
Exchange Account	Key Bank	0.00
Patient Cash	Key Bank	210.00
<b>50850 - SAGAMORE CHILDRENS PSYCHIATRIC CENTER</b>		
Sagamore Patient Personal Acct	JPMorgan Chase Bank, N.A.	47,397.48
Sagamore Petty Cash Account	JPMorgan Chase Bank, N.A.	4,895.20
<b>50860 - ROCKLAND CHILDRENS PSYCHIATRIC CENTER</b>		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
<b>50870 - QUEENS CHILDRENS PSYCHIATRIC CENTER</b>		
Queens Adv Acct	HSBC	11,245.00
Queens Childrens Account	HSBC	7,876.58
<b>50920 - ELMIRA PSYCHIATRIC CENTER</b>		
Certificate of Deposit	Chemung Canal Trust	100,000.00
Certificate of Deposit	Chemung Canal Trust	100,000.00
Facility Advance Account	Chemung Canal Trust	13,350.00
General Fund Account	Chemung Canal Trust	4,454.10
IMMA	Chemung Canal Trust	46,611.33
Patients Fund Account	Chemung Canal Trust	357,737.48
<b>50980 - CAPITAL DISTRICT PSYCHIATRIC CENTER</b>		
Facility Advance Account	Key Bank	No report received
Facility Holding Account	Key Bank	No report received
Parking Garage Account	Key Bank	No report received
Patients Cash Checking Account	Key Bank	No report received
Patients Cash Savings Account	Key Bank	No report received
<b>51000 - NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES</b>		
Petty Cash Acct	Bank of America, N.A.	No report received
Revenue Account	Bank of America, N.A.	No report received
<b>51210 - HUDSON VALLEY DDSO</b>		
EBT Checking	JPMorgan Chase Bank, N.A.	No report received
Exchange Account	JPMorgan Chase Bank, N.A.	No report received
General Fund	JPMorgan Chase Bank, N.A.	No report received
Investor's Choice Savings	JPMorgan Chase Bank, N.A.	No report received
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
PTS Cash Checking	JPMorgan Chase Bank, N.A.	No report received
<b>51240 - CENTRAL NY DDSO</b>		
Advance Accounts	Key Bank	34,169.96
Clients Account	Key Bank	515,386.31
Consumer Cash - Savings	Adirondack Bank	2,686,254.75
Consumer Cash - Savings	Key Bank	3,416,935.41
<b>51250 - TACONIC DDSO</b>		
Agency Advance Account	M&T Bank	62,943.38
General Fund	M&T Bank	384.80
Patients Cash Checking	M&T Bank	2,191,160.98
500 Balltown Rd Schenectady, NY		

TDDSO Representative Payee Savings Acct	The Adirondack Trust Company	1,648,576.43
<b>51270 - STATEN ISLAND DDSO</b>		
Clients Cash Account	JPMorgan Chase Bank, N.A.	No report received
General Fund Account	JPMorgan Chase Bank, N.A.	No report received
Money Market Account	JPMorgan Chase Bank, N.A.	No report received
Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
<b>51290 - CAPITAL DISTRICT DDSO</b>		
Agency Advance Account	Key Bank	No report received
Agency Advance Account	The Adirondack Trust Company	No report received
Consumer EBT Fund / Fiduciary Account	Key Bank	No report received
Consumers Fund / Fiduciary Account	Key Bank	No report received
Patients Account Direct Deposit / Fiduciary Acct	The Adirondack Trust Company	No report received
Patients Fund Operating Acct / Fiduciary Acct	The Adirondack Trust Company	No report received
Summer Camp - Fiduciary Acct	The Adirondack Trust Company	No report received
<b>51330 - WESTERN NY DDSO</b>		
Agency Advance Account	M&T Bank	No report received
CD-Patient Property Funds	Key Bank	No report received
Exchange Account	M&T Bank	No report received
General Account	Community Bank	No report received
Patient Property Funds	Adirondack Bank	No report received
Patient Property Funds	M&T Bank	No report received
<b>51350 - LONG ISLAND DDSO</b>		
Consolidated Advance	JPMorgan Chase Bank, N.A.	No report received
EBT Checking Account	JPMorgan Chase Bank, N.A.	No report received
General Fund	JPMorgan Chase Bank, N.A.	No report received
Patient Cash	JPMorgan Chase Bank, N.A.	No report received
<b>51380 - BROOKLYN DDSO</b>		
CD	Banco Popular	No report received
Consumers Fund	JPMorgan Chase Bank, N.A.	318,377.12
Consumers Money Management	JPMorgan Chase Bank, N.A.	687,278.28
Miscellaneous Receipts	JPMorgan Chase Bank, N.A.	222,719.72
Petty Cash - Mental Hygiene Brooklyn	JPMorgan Chase Bank, N.A.	22,307.11
Thomas Shirtz Community Service	JPMorgan Chase Bank, N.A.	6,305.56
<b>51420 - SUNMOUNT DDSO</b>		
Certificate of Deposit	Community Bank	No report received
Residents Fund	Community Bank	No report received
Sunmount Advance Account	Community Bank	No report received
<b>51430 - INSTITUTE FOR BASIC RESEARCH IN DEVELOPMENTAL DISABILITIES</b>		
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
<b>51450 - METRO NY DDSO</b>		
Consolidated Acct	JPMorgan Chase Bank, N.A.	38,009.59
Manhattan DDSO Client Cash	JPMorgan Chase Bank, N.A.	26,941.98
Metro NY DDSO Food Stamp Acct	JPMorgan Chase Bank, N.A.	0.00
Metro NY DDSO REP PAYEE ACCOUNT	JPMorgan Chase Bank, N.A.	324,967.64
Patients Cash Account	JPMorgan Chase Bank, N.A.	18,798.32
Patients Money Market Account	JPMorgan Chase Bank, N.A.	0.10
Petty Cash	JPMorgan Chase Bank, N.A.	0.00
<b>51470 - BERNARD M FINESON DDSO</b>		
Money Market Account	JPMorgan Chase Bank, N.A.	307,094.66
Patient Fund Account	JPMorgan Chase Bank, N.A.	328,915.57
Petty Cash Fund	JPMorgan Chase Bank, N.A.	13,699.55
<b>51780 - FINGER LAKES DDSO</b>		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
F.L. Newark Resident Checking	Community Bank	No report received
Finger Lakes Resident Checking	JPMorgan Chase Bank, N.A.	No report received
FL Vending Machine Account	Community Bank	No report received
General Account	JPMorgan Chase Bank, N.A.	No report received
Geneseo Client Cash	Bank of America, N.A.	No report received
Kelsey Trust Fund	Bank of America, N.A.	No report received
Mary Moore Trust Fund	Bank of America, N.A.	No report received
Monroe Resident Checking	JPMorgan Chase Bank, N.A.	No report received
Monroe Resident Savings	JPMorgan Chase Bank, N.A.	No report received
Patient Food Stamp Account	JPMorgan Chase Bank, N.A.	No report received
<b>51940 - BROOME DDSO</b>		
Broome DDSO	M&T Bank	No report received
Broome DDSO - Advance Account	M&T Bank	No report received
Broome DDSO - General Fund	M&T Bank	No report received
Disabled Individuals Savings	Key Bank	No report received
Disabled Individuals Savings	M&T Bank	No report received
OMRDD Broome DDSO EBT Checking	M&T Bank	No report received
<b>53000 - OFFICE OF ALCOHOLISM &amp; SUBSTANCE ABUSE SERVICES</b>		
Agency Advance Acct	Key Bank	2,800.00
Creedmoor PNA Account	JPMorgan Chase Bank, N.A.	0.00
Patient Fees	Bank of America, N.A.	1,127,340.77

Revenue Account	Bank of America, N.A.	25,008.06
<b>53020 - KINGSBORO ALCOHOLISM TREATMENT CENTER</b>		
Petty Cash Advance Account	Bank of America, N.A.	1,149.79
<b>70000 - CUNY UNIVERSITY MANAGEMENT &amp; PROGRAM BOARD OF HIGHER EDUCATION</b>		
CUNY Admin Imprest Cash Account	Citibank	11,103.68
<b>70030 - CUNY HUNTER COLLEGE</b>		
Travel Petty Cash Account	Citibank	50,185.70
<b>70060 - CUNY JOHN JAY COLLEGE</b>		
CUNY JOHN JAY COLLEGE IMPREST FUND	Citibank	16,681.16
<b>70070 - CUNY LEHMAN COLLEGE</b>		
Lehman College	Citibank	4,345.50
<b>70080 - CUNY YORK COLLEGE</b>		
York College Imprest Funds	Citibank	11,288.64
York College Travel Advance Fund	Citibank	817.00
<b>70100 - CUNY COLLEGE OF STATEN ISLAND</b>		
CSI Imprest Cash	TD Bank	4,913.69
<b>70120 - CUNY NYC COLLEGE OF TECHNOLOGY</b>		
NY City College Of Technology Technical College Imprest Fund	Popular Community Bank	5,000.00
<b>70150 - CUNY SCHOOL OF LAW</b>		
CUNY School Of Law	TD Bank	24,459.45

The above balances represent funds deposited in various banking institutions as reported by the State department and agencies, and published in accordance with Section 107 of the State Finance Law.

*Division of the Treasury, Department of Taxation and Finance*  
**Christopher Curtis** Deputy Commissioner and State Treasurer



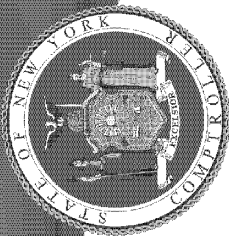
**FUNDS OF THE DIVISION OF THE TREASURY OF WHICH THE COMMISSIONER OF TAXATION AND FINANCE  
IS THE SOLE CUSTODIAN WITH BALANCES AS OF 12/31/2020**

ACCOUNT DESCRIPTION	DEPOSITORY	BALANCE AS OF 12/31/2020
<b>COMMUNITY COLLEGE TUITION AND INSTRUCTIONAL INCOME FUND</b>		
0232 Upstate Community Colleges, Series 2005B	Key Bank	1,154,915.75
<b>DEPARTMENT OF FINANCIAL SERVICES</b>		
0001 Property/Casualty Insurance Security Fund	Key Bank	323,928.51
0002 Public Motor Vehicle Security Fund	JPMorgan Chase Bank, N.A.	523,561.10
0003 Workers' Compensation Security Fund	JPMorgan Chase Bank, N.A.	611,183.74
<b>DORMITORY AUTHORITY OF THE STATE OF NEW YORK</b>		
0039 Mental Hygiene Facilities Improvement Fund Income Account	Bank of America, N.A.	1,045.15
0104 Lincoln Medical and Mental Health Center Project Construction Account	Key Bank	10,859.45
0105 Greenpoint Medical and Mental Health Center Project Construction Account	Key Bank	303,345.14
0149 State Advances Repayment Account	Bank of America, N.A.	0.00
<b>HOMELESS HOUSING ASSISTANCE CORPORATION</b>		
0320 Social Services Homeless Housing and Assistance Corporation Operating Account	Key Bank	12,229,092.75
<b>NELSON A. ROCKEFELLER EMPIRE STATE PLAZA PERFORMING ARTS CENTER CORPORATION</b>		
0315 The Egg	Key Bank	5,621.80
<b>NEW YORK CONVENTION CENTER</b>		
0300 Operating Fund	JPMorgan Chase Bank, N.A.	23,261,376.23
<b>NEW YORK JOB DEVELOPMENT AUTHORITY</b>		
0036 Special Purpose Fund	Bank of America, N.A.	1,015,235.00
0371 Series H Commercial Paper	Bank of America, N.A.	1,422,404.83
0389 Daily Demand Special Purpose Bonds Series 1992A-B	JPMorgan Chase Bank, N.A.	339,558.05
0423 Escrow Account for USA Industries Inc.	Key Bank	37,274.67
0424 Escrow Account for Pluritec USA Inc.	Key Bank	19,782.38
0426 Agriculture Loan Program	Key Bank	370,388.91
<b>NYS AFFORDABLE HOUSING CORPORATION</b>		
0491 Disbursement Account	JPMorgan Chase Bank, N.A.	378,145.74
0520 Development Account	Key Bank	2,075,080.48
0522 Repayment Account	Key Bank	700,559.47
0523 Recapture Account	Key Bank	192,034.09
0880 Payroll Account	JPMorgan Chase Bank, N.A.	0.00
<b>NYS DEPARTMENT OF HEALTH</b>		
0004 Medical Indemnity Fund	JPMorgan Chase Bank, N.A.	(4,492,396.67)
<b>NYS DEPARTMENT OF TAXATION AND FINANCE</b>		
0510 Excelsior Linked Deposit Fund	Key Bank	0.27
0600 World Trade Center Memorial Foundation Fund Account	Bank of America, N.A.	97,286.44
0625 Advance Acct/Imprest Confidential Fund	Bank of America, N.A.	28,950.00
0626 Criminal Investigation Division	Key Bank	263,697.25
0778 PIT/STAR Rebate Exchange Account	JPMorgan Chase Bank, N.A.	0.00
0800 NYS IRS PIT offset account	Key Bank	0.00
0827 Stock Transfer Incentive Fund	Key Bank	1,097,240.33
0847 Pari-Mutuel Revenue Transfer Account	Key Bank	0.00
0848 Off-Track Bet Tax Revenue Transfer Account	Key Bank	0.00
<b>NYS HOUSING FINANCE AGENCY</b>		
0252 Energy Conservation/Tenant Health & Safety Improvement Account	JPMorgan Chase Bank, N.A.	205,927.29
0254 Agency Assisted Housing Operation Fund	JPMorgan Chase Bank, N.A.	4,722,788.57
0267 Neighborhood Stabilization Program - Round 1	JPMorgan Chase Bank, N.A.	87,646.12
0274 NYSHFA Special Reserve Fund	JPMorgan Chase Bank, N.A.	16,124,464.55
0283 Small Owner's Assistance Program Account	Key Bank	75,277.71
0285 Public Purpose Account	Key Bank	8,310,379.78
0286 Disbursement Account	Key Bank	3,451,207.81
0287 Infrastructure Development Fund	Key Bank	197,817.52
0288 Mobile Home Cooperative Fund	Key Bank	23,793.33
0292 Homeless Housing Initiatives	Key Bank	199,854.21
0294 Housing Plan Fund	Key Bank	13,549,499.74
0301 HFA - Subsidy Repayment Account	Key Bank	3,449,032.06
0305 HPD Disbursement Fund	Key Bank	1,227,149.59
0879 Payroll Account	JPMorgan Chase Bank, N.A.	152,368.23
<b>NYS HOUSING TRUST FUND CORPORATION</b>		
0458 Section 8 Housing Assistance Payment Account	JPMorgan Chase Bank, N.A.	1,038,421.60
0460 Escrow Account	M&T Bank	1,016,867.89
0461 Housing Modernization Account	M&T Bank	791,424.07

0462	General Custodial Account	M&T Bank	65,110,704.45
0465	Home Program Account	M&T Bank	10,037,478.18
0466	Homes for Working Families Account	M&T Bank	9,199,331.57
0467	Section 8 Administrative Account	M&T Bank	11,664,311.53
0469	OCR Community Miscellaneous Programs Account	M&T Bank	11,653,037.20
0470	HCV Main Account	Bank of America, N.A.	43,890,017.57
0471	Empire State Relief Fund	M&T Bank	485,834.55
0472	Master Escrow Account	Bank of America, N.A.	0.00
0473	Family Self-Sufficiency Account	Bank of America, N.A.	4,199,926.73
0475	Reserve Account	Bank of America, N.A.	2,011,867.53
0480	OHP Miscellaneous Programs Account	Bank of America, N.A.	11,202,441.51
0891	Small Cities Community Development Block Grant Program	M&T Bank	6,060.71
0892	Disaster Recovery Initiative Account	M&T Bank	37,788.35
0893	Payroll Account for Small Cities CDBG Program	M&T Bank	158.69
0895	HTFC Storm Recovery Payment	M&T Bank	2,332,693.77
0899	HTFC Storm Recovery Lockbox	US Bank	26,425.99
<b>NYS TEACHERS RETIREMENT SYSTEM</b>			
0052	Main Account	JPMorgan Chase Bank, N.A.	15,558,542.41
0052	Master Funding Account	State Street Bank & Trust Co.	0.00
0853	Excess Benefit Fund	JPMorgan Chase Bank, N.A.	2,982,550.26
<b>STATE INSURANCE FUND</b>			
0053	State Insurance Fund	Bank of America, N.A.	103,748,264.57
0054	State Insurance Fund	Bank of America, N.A.	13,210,769.45
0055	State Insurance Fund	Bank of America, N.A.	19,768,092.24
0861	Disability Benefits Fund Tax Escrow Account	Bank of America, N.A.	26,263.00
<b>STATE UNIVERSITY CONSTRUCTION FUND</b>			
0034	Income Fund	Key Bank	1,069,286.56
0075	Educational Facilities Revenue Bonds Debt Service Account	Key Bank	31,806.05
0870	Deductions Account	Key Bank	211,248.86

The above balances represent funds deposited in various banking institutions per the records of the Department of Taxation and Finance, Division of Treasury, and published in accordance with Section 107 of the State Finance Law.

*Division of the Treasury, Department of Taxation and Finance*  
**Christopher Curtis** Deputy Commissioner and State Treasurer



Office of the NEW YORK STATE  
COMPTROLLER

# Comptroller's Monthly Report on State Funds Cash Basis of Accounting

DECEMBER 2020

Office of Operations  
Division of Payroll, Accounting and Revenue Services  
Bureau of Financial Reporting and Oil Spill Remediation

NYS Comptroller  
THOMAS P. DINAPOLI



STATE OF NEW YORK  
OFFICE OF OPERATIONS  
DIVISION OF PAYROLL, ACCOUNTING AND REVENUE SERVICES  
BUREAU OF FINANCIAL REPORTING AND OIL SPILL REMEDIATION

THOMAS P. DINAPOLI  
STATE COMPTROLLER

**COMPTROLLER'S MONTHLY REPORT TO THE LEGISLATURE ON STATE FUNDS - CASH BASIS OF ACCOUNTING**

December 31, 2020

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EXHIBIT A

**STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES  
(amounts in millions)**

		GENERAL			SPECIAL REVENUE			DEBT SERVICE			CAPITAL PROJECTS			TOTAL GOVERNMENTAL FUNDS			YEAR OVER YEAR	
		MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2019	9 MOS. ENDED DEC. 31, 2019	MONTH OF DEC. 2019	9 MOS. ENDED DEC. 31, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease	
RECEIPTS:																		
Personal Income Tax	(3)	\$ 2,381.4	\$ 18,392.5	\$ 35.0	\$ 36.6	\$ 2,416.4	\$ 18,399.1	\$ -	\$ -	\$ -	\$ 4,832.8	\$ 36,798.2	\$ 37,317.2	\$ 4,288.0	\$ 37,317.2	\$ (519.0)	-1.4%	
Consumption/Use Taxes		752.5	5,392.5	167.5	1,335.6	706.7	4,912.3	61.6	403.3		1,688.3	12,043.7	13,767.4	1,783.9	13,767.4	(1,723.7)	-12.5%	
Business Taxes		1,363.3	4,470.1	274.9	1,250.9	-	-	-	47.1	409.9	1,685.5	6,130.9	6,343.7	1,712.9	6,343.7	(212.8)	-3.4%	
Other Taxes		124.4	965.7	-	-	95.6	564.2	11.9	83.4		231.9	1,613.3	1,686.3	231.2	1,686.3	(73.0)	-4.3%	
Miscellaneous Receipts		261.1	6,579.7	1,473.5	12,314.6	50.6	325.6	1,055.2	4,760.1		2,840.4	23,980.0	20,544.4	2,145.4	20,544.4	3,435.6	16.7%	
Federal Receipts		-	0.2	7,300.6	60,581.9	12.5	36.9	228.2	1,547.1		7,541.3	62,166.1	49,735.4	6,605.8	49,735.4	12,430.7	25.0%	
Total Receipts		4,882.9	35,770.7	9,251.5	75,519.6	3,281.8	24,238.1	1,404.0	7,203.8		18,820.2	142,732.2	129,394.4	16,167.2	129,394.4	13,337.8	10.3%	
DISBURSEMENTS:																		
Local Assistance Grants:																		
Education		2,408.4	15,758.5	252.9	5,245.5	-	-	4.2	90.4		2,685.5	21,094.4	22,943.1	2,764.8	22,943.1	(1,848.7)	-8.1%	
Environment and Recreation		0.3	0.3	0.1	2.3	-	-	20.4	107.2		20.8	109.8	14.2	14.2	152.0	(42.2)	-27.8%	
General Government		168.4	805.5	114.3	4,329.6	-	-	51.2	403.7		333.9	5,538.8	384.8	384.8	1,857.9	3,680.9	198.1%	
Public Health:																		
Medicaid		1,632.6	11,921.0	5,076.7	38,134.4	-	-	-	-		6,709.3	50,055.4	49,517.5	4,996.3	49,517.5	537.9	1.1%	
Other Public Health		168.3	1,648.3	650.7	5,439.5	-	-	45.5	396.5		864.5	7,484.3	7,551.0	1,049.0	7,551.0	(66.7)	-0.9%	
Public Safety		45.6	85.9	133.8	1,553.8	-	-	1.3	42.1		180.7	1,681.8	1,216.6	133.1	1,216.6	465.2	38.2%	
Public Welfare		167.3	1,817.5	162.9	2,531.8	-	-	96.3	471.4		426.2	4,820.7	5,322.9	247.2	5,322.9	(502.2)	-9.4%	
Support and Regulate Business		10.1	57.2	1.0	43.8	-	-	133.8	394.9		144.9	495.9	862.5	121.6	862.5	(366.6)	-42.5%	
Transportation		24.3	80.4	764.5	2,900.4	-	-	220.4	1,936.4		1,027.2	4,917.2	4,680.9	107.2	4,680.9	236.3	5.0%	
Total Local Assistance Grants		4,625.3	32,174.6	7,156.9	60,181.1	-	-	573.1	3,842.6		12,355.3	96,198.3	94,104.4	1,075.82	94,104.4	2,093.9	2.2%	
Departmental Operations:																		
Personal Service		(485.5)	5,115.2	1,784.0	6,074.2	-	-	-	-		1,298.5	11,189.4	11,259.6	1,145.1	11,259.6	(70.2)	-0.6%	
Non-Personal Service		241.1	1,267.2	408.8	3,908.6	(8.9)	23.9	-	-		641.0	5,199.7	4,943.5	524.7	4,943.5	256.2	5.2%	
General State Charges		262.3	5,377.7	212.2	1,162.3	-	-	-	-		474.5	6,540.0	7,114.4	539.3	7,114.4	(574.4)	-8.1%	
Debt Service, Including Payments on Financing Agreements	(1)	-	-	102.2	102.2	1,229.8	2,579.0	-	-		1,332.0	2,681.2	1,512.2	412.2	1,512.2	1,169.0	77.3%	
Capital Projects		-	-	-	2.3	-	-	630.5	5,385.0		630.5	5,387.3	5,425.0	577.0	5,425.0	(37.7)	-0.7%	
Total Disbursements		4,643.2	43,934.7	9,664.1	71,430.7	1,220.9	2,602.9	1,203.6	9,227.6		16,731.8	127,195.9	124,359.1	13,956.5	124,359.1	2,836.8	2.3%	
Excess (Deficiency) of Receipts over Disbursements		239.7	(8,164.0)	(412.6)	4,088.9	2,060.9	21,635.2	200.4	(2,023.8)		2,088.4	15,536.3	5,035.3	2,810.7	5,035.3	10,501.0	208.5%	
OTHER FINANCING SOURCES (USES):																		
Bond and Note Proceeds (net)		-	-	-	-	-	-	-	-		-	-	-	-	-	-	0.0%	
Transfers from Other Funds	(2)	2,943.2	19,982.8	128.5	1,844.3	135.4	1,801.5	124.1	2,216.9		3,331.2	25,625.5	32,660.4	4,008.5	32,660.4	(7,034.9)	-21.5%	
Transfers to Other Funds	(2)	(233.2)	(4,190.6)	(195.2)	(1,466.7)	(2,848.6)	(19,626.3)	(54.3)	(352.9)		(3,334.5)	(25,836.5)	(32,770.4)	(4,009.8)	(32,770.4)	(6,933.9)	-21.2%	
Total Other Financing Sources (Uses)		2,710.0	15,772.2	(65.7)	377.6	(2,713.4)	(18,224.8)	69.8	1,864.0		(3.3)	(211.0)	(110.0)	(1.3)	(110.0)	(101.0)	-91.8%	
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses		2,949.7	7,608.2	(482.3)	4,466.5	(652.5)	3,410.4	270.2	(159.8)		2,085.1	15,325.3	4,925.3	2,809.4	4,925.3	10,400.0	211.2%	
Beginning Fund Balances (Deficits)		13,602.7	8,944.2	11,260.9	6,312.1	4,126.3	63.4	(1,464.9)	(1,034.9)		27,525.0	14,284.8	9,975.0	12,090.9	4,309.8	4,309.8	43.2%	
Ending Fund Balances (Deficits)		\$ 16,552.4	\$ 16,552.4	\$ 10,778.6	\$ 10,778.6	\$ 3,473.8	\$ 3,473.8	\$ (1,194.7)	\$ (1,194.7)		\$ 29,610.1	\$ 29,610.1	\$ 14,900.3	\$ 14,900.3	\$ 14,708.8	\$ 14,708.8	98.7%	

STATE OF NEW YORK  
GOVERNMENTAL FUNDS-STATE OPERATING (\*)  
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES  
(amounts in millions)

EXHIBIT A  
SUPPLEMENTAL

	GENERAL		STATE SPECIAL REVENUE (**)		DEBT SERVICE		TOTAL STATE OPERATING FUNDS				\$ Increase/ (Decrease)	% Increase/ Decrease
	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2019	9 MOS. ENDED DEC. 31, 2019		
<b>RECEIPTS:</b>												
Personal Income Tax	(3)	\$ 2,381.4	\$ 18,362.5	\$ 35.0	\$ 36.6	\$ 2,416.4	\$ 4,832.8	\$ 36,798.2	\$ 4,288.0	\$ 37,317.2	\$ (519.0)	-1.4%
Consumption/Use Taxes		752.5	5,392.5	167.5	1,335.6	706.7	1,626.7	11,640.4	1,718.1	13,275.3	(1,634.9)	-12.3%
Business Taxes		1,363.5	4,470.1	274.9	1,250.9	-	1,638.4	5,721.0	1,658.7	6,828.9	(1,079.9)	-1.9%
Other Taxes		124.4	965.7	-	-	95.6	220.0	1,529.9	219.3	1,602.9	(73.0)	-4.6%
Miscellaneous Receipts		261.1	6,579.7	1,463.2	12,165.8	50.6	1,774.9	19,071.1	1,727.6	16,480.2	2,590.9	15.7%
Federal Receipts		-	0.2	-	7.2	12.5	12.5	44.3	-	55.0	(10.7)	-19.5%
<b>Total Receipts</b>		<b>4,882.9</b>	<b>35,770.7</b>	<b>1,940.6</b>	<b>14,796.1</b>	<b>3,281.8</b>	<b>10,105.3</b>	<b>74,804.9</b>	<b>9,611.7</b>	<b>74,559.5</b>	<b>245.4</b>	<b>0.3%</b>
<b>DISBURSEMENTS:</b>												
Local Assistance Grants:												
Education		2,408.4	15,758.5	174.7	3,094.4	-	2,583.1	18,852.9	2,433.9	20,138.1	(1,285.2)	-6.4%
Environment and Recreation		0.3	0.3	-	1.8	-	0.3	2.1	0.7	3.8	(1.7)	-44.7%
General Government		168.4	805.5	15.7	111.6	-	184.1	917.1	232.4	1,106.5	(189.4)	-17.1%
Public Health:												
Medicaid		1,632.6	11,921.0	480.1	4,170.7	-	2,122.7	16,081.7	1,734.4	19,299.6	(3,207.9)	-16.6%
Other Public Health		168.3	1,648.3	95.0	614.5	-	263.3	2,262.8	382.9	2,412.5	(149.7)	-6.2%
Public Safety		45.6	85.9	20.4	108.1	-	66.0	194.0	34.2	275.1	(81.1)	-23.5%
Public Welfare		167.3	1,817.5	0.9	1.9	-	168.2	1,819.4	119.2	1,839.9	(20.5)	-1.1%
Support and Regulate Business		10.1	57.2	0.8	37.6	-	10.9	94.8	19.0	154.9	(60.1)	-38.8%
Transportation		24.3	80.4	757.0	2,852.6	-	781.3	2,933.0	739.5	3,282.3	(349.3)	-10.6%
<b>Total Local Assistance Grants</b>		<b>4,625.3</b>	<b>32,174.6</b>	<b>1,554.6</b>	<b>10,993.2</b>	-	<b>6,178.9</b>	<b>43,167.8</b>	<b>5,696.2</b>	<b>48,512.7</b>	<b>(5,344.9)</b>	<b>-11.0%</b>
Departmental Operations:												
Personal Service		(485.5)	5,115.2	387.5	3,833.0	-	(98.0)	8,948.2	1,092.2	10,771.1	(1,822.9)	-16.9%
Non-Personal Service		241.1	1,267.2	203.0	1,850.3	(8.9)	435.2	3,141.4	399.2	3,985.8	(844.4)	-21.2%
General State Charges		262.3	5,377.7	99.8	678.7	-	362.1	6,056.4	513.8	6,872.6	(816.2)	-11.9%
Debt Service, Including Payments on Financing Agreements		-	-	-	-	1,229.8	1,229.8	2,579.0	412.2	1,512.2	1,066.8	70.5%
Capital Projects		-	-	-	-	-	-	-	-	-	-	0.0%
<b>Total Disbursements</b>		<b>4,643.2</b>	<b>43,934.7</b>	<b>2,244.9</b>	<b>17,355.2</b>	<b>1,220.9</b>	<b>8,109.0</b>	<b>63,882.8</b>	<b>8,113.6</b>	<b>71,654.4</b>	<b>(7,761.6)</b>	<b>-10.8%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>		<b>239.7</b>	<b>(8,164.0)</b>	<b>(304.3)</b>	<b>(2,559.1)</b>	<b>2,060.9</b>	<b>1,996.3</b>	<b>10,912.1</b>	<b>1,498.1</b>	<b>2,905.1</b>	<b>8,007.0</b>	<b>275.6%</b>
<b>OTHER FINANCING SOURCES (USES):</b>												
Transfers from Other Funds	(2)	2,943.2	19,962.8	138.6	2,394.8	135.4	3,217.2	23,959.1	3,514.4	29,739.8	(5,780.7)	-19.4%
Transfers to Other Funds	(2)	(233.2)	(4,190.6)	(42.5)	(233.1)	(2,848.8)	(3,124.5)	(24,250.0)	(3,584.3)	(30,983.0)	(6,733.0)	-21.7%
<b>Total Other Financing Sources (Uses)</b>		<b>2,710.0</b>	<b>15,772.2</b>	<b>96.1</b>	<b>2,161.7</b>	<b>(2,713.4)</b>	<b>92.7</b>	<b>(290.9)</b>	<b>(69.9)</b>	<b>(1,243.2)</b>	<b>952.3</b>	<b>76.6%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>		<b>2,949.7</b>	<b>7,608.2</b>	<b>(208.2)</b>	<b>(397.4)</b>	<b>(652.5)</b>	<b>2,089.0</b>	<b>10,621.2</b>	<b>1,428.2</b>	<b>1,661.9</b>	<b>8,959.3</b>	<b>539.1%</b>
<b>Beginning Fund Balances (Deficits)</b>		<b>13,602.7</b>	<b>8,944.2</b>	<b>5,211.5</b>	<b>5,400.7</b>	<b>4,126.3</b>	<b>22,940.5</b>	<b>14,408.3</b>	<b>12,595.0</b>	<b>12,361.3</b>	<b>2,047.0</b>	<b>16.6%</b>
<b>Ending Fund Balances (Deficits)</b>		<b>\$ 16,552.4</b>	<b>\$ 16,552.4</b>	<b>\$ 5,003.3</b>	<b>\$ 5,003.3</b>	<b>\$ 3,473.8</b>	<b>\$ 25,029.5</b>	<b>\$ 25,029.5</b>	<b>\$ 14,023.2</b>	<b>\$ 14,023.2</b>	<b>\$ 11,006.3</b>	<b>78.5%</b>

(\*) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal Funds) and Debt Service Funds.  
(\*\*) Eliminations between Special Revenue - State and Federal Funds are not included.

**GOVERNMENTAL FUNDS FOOTNOTES**

1. Certain disbursements from Capital Projects funds are financed by operating transfers from other funds, proceeds of State bonds and notes, and reimbursements received from Public Authorities and the Federal Government. The amounts shown below represent disbursements to be reimbursed in future months from the sources indicated:

Urban Development Corporation (Correctional Facilities)	\$194.4 million
Urban Development Corporation (Youth Facilities)	12.4
Housing Finance Agency (HFA)	254.6
Housing Assistance Fund	12.9
Dormitory Authority (Mental Hygiene)	457.7
Dormitory Authority and State University Income Fund	394.2
Federal Capital Projects	351.7
State bond and note proceeds	203.3

2. Operating Transfers constitute legally authorized transfers from a fund receiving revenues to a fund through which disbursements will ultimately be made. The more significant transfers include:

**General Fund** "Transfers to Other Funds" are as follows:

State Capital Projects Fund	\$1,801.6 million
General Debt Service Fund	154.1
Banking Services Account	25.2
Building Administration Account	8.0
Business Services Center	26.9
Centralized Tech Services	11.5
Court Facilities Incentive Aid Fund	90.6
Dedicated Highway & Bridge Trust Fund	49.5
Dedicated Infrastructure Investment Fund	313.0
Dedicated Mass Transportation - Railroad Account	6.6
Dedicated Mass Transportation - Transit Authority Account	36.7
Dedicated Mass Transportation - (Non MTA)	3.8
Environmental Protection Fund	19.8
Health Insurance Revolving Fund	12.0
Mass Transportation Operating Assistance Fund	27.8
Mass Transportation Financial Assistance	244.3
New York Central Business District Trust Fund	112.5
New York City County Clerks' Operations Offset	2.8
Recruitment Incentive Account	2.1
State Fair Receipts	3.0
State University Income Fund	987.4

Also included in the General Fund are transfers representing payments for patients residing in State-operated health, mental hygiene and State University facilities to Debt Service funds (6.2m), and the State University Income Fund (\$243.7 m).

\$724(b) was added to the State Finance Law in 2010 to permit the State's General Debt Service Fund to maintain a cash reserve for the payment of debt service, and related expenses, during the current fiscal quarter. As of December 31, 2020 - pursuant to a certification of the Budget Director - payment obligations were met out of these reserves and future payment amounts were scheduled for transfer at the commencement of the succeeding month.

**EXHIBIT A NOTES  
DECEMBER 2020**

**Special Revenue Funds** "Transfers To Other Funds" includes transfers to Mental Health Services Fund and Department of Health Income Fund (\$1,140.2m) representing the federal share of Medicaid payments for patients residing in State-operated Health and Mental Hygiene facilities, the General Debt Service Fund (\$4.9m), Medicaid Management Information System Escrow Fund (\$122.3m), SUNY Capital Projects Fund (\$2.9m), and All Other Capital Projects (\$30.1m).

Also included in Special Revenue funds are transfers to the General Fund from the following:

Business & Licensing Services Account	\$3.0 million
Clean Air	2.1
Encon Special Revenue	4.7
Federal Department of Health Services Fund	57.7
Federal Education Fund	1.0
Federal Operating Grants Fund	5.3
Federal USDA/Food and Nutrition Services Fund	7.7
HESC Insurance Premium Account	5.3
Mass Transportation Operating Assistance Fund	1.1
Miscellaneous State Special Revenue Fund	1.4
Patron Services Account	1.6
Public Service Account	3.6
State Lottery Fund	4.6
SUNY Income Fund	22.4
System and Technology Account	2.6
Unemployment Insurance Administration Fund	16.2
Unemployment Insurance Interest & Penalty Account	11.4
Workers' Compensation Board	7.3

**Debt Service Funds** "Transfers To Other Funds" includes transfers to the General Fund from the following:

Revenue Bond Tax Fund	\$14,222.2 million
Local Government Assistance Tax Fund	2,456.2
Sales Tax Revenue Bond Tax Fund	1,526.9
Clean Water/Clean Air Fund	526.3
Mental Health Services Fund	1,009.4

Also included in Debt Service funds are transfers to Special Revenue funds representing receipts in excess of lease-purchase obligations that are used to finance a portion of the operating expenses for the Department of Health (\$65.3m)

**Capital Projects Funds** "Transfers To Other Funds" includes transfers to the General Fund (\$57.5m), the General Debt Service Fund - Lease Purchase (\$93.5m), and the Revenue Bond Tax Fund (\$201.9m).

3. A portion of Personal Income Tax receipts is transferred to the State Special Revenue School Tax Relief (STAR) Fund to be used to reimburse school districts for the STAR property tax exemptions for homeowners and payments to homeowners for the STAR Property Rebate Program. School Tax Relief payments were (\$36.6m) as of December 31, 2020.

STATE OF NEW YORK  
PROPRIETARY FUNDS  
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES  
(amounts in millions)

EXHIBIT B

	ENTERPRISE			INTERNAL SERVICE			TOTAL PROPRIETARY FUNDS			YEAR OVER YEAR	
	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2019	9 MOS. ENDED DEC. 31, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease	
RECEIPTS:											
Miscellaneous Receipts	\$ 3.1	\$ 48.4	\$ 46.0	\$ 296.7	\$ 49.1	\$ 345.1	\$ 46.5	\$ 472.1	\$ (127.0)	-26.9%	
Federal Receipts	2,184.6	41,032.9	-	-	2,184.6	41,032.9	5.9	13.7	41,019.2	299,410.2%	
Unemployment Taxes	561.3	13,644.8	-	-	561.3	13,644.8	220.3	1,477.0	12,167.8	823.8%	
Total Receipts	2,749.0	54,726.1	46.0	296.7	2,795.0	55,022.8	272.7	1,962.8	53,060.0	2,703.3%	
DISBURSEMENTS:											
Departmental Operations:											
Personal Service	0.9	10.4	10.7	104.2	11.6	114.6	10.8	109.9	4.7	4.3%	
Non-Personal Service	4.6	40.4	45.0	360.2	49.6	400.6	34.3	357.7	42.9	12.0%	
General State Charges	0.2	1.4	4.3	47.5	4.5	48.9	4.7	42.1	6.8	16.2%	
Unemployment Benefits	2,745.9	54,668.2	-	-	2,745.9	54,668.2	226.9	1,492.1	53,176.1	3,563.8%	
Total Disbursements	2,751.6	54,720.4	60.0	511.9	2,811.6	55,232.3	276.7	2,001.8	53,230.5	2,659.1%	
Excess (Deficiency) of Receipts Over Disbursements	(2.6)	5.7	(14.0)	(215.2)	(16.6)	(209.5)	(4.0)	(39.0)	(170.5)	-437.2%	
OTHER FINANCING SOURCES (USES):											
Transfers from Other Funds	-	3.0	5.8	88.5	5.8	91.5	4.4	57.0	34.5	60.5%	
Transfers to Other Funds	-	-	(2.9)	(3.3)	(2.9)	(3.3)	(3.2)	(4.3)	(1.0)	-23.3%	
Total Other Financing Sources (Uses)	-	3.0	2.9	85.2	2.9	88.2	1.2	52.7	35.5	67.4%	
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(2.6)	8.7	(11.1)	(130.0)	(13.7)	(121.3)	(2.8)	13.7	(135.0)	-985.4%	
Beginning Fund Balances (Deficits)	41.0	29.7	(416.4)	(297.5)	(375.4)	(267.8)	(259.6)	(276.1)	8.3	3.0%	
Ending Fund Balances (Deficits)	\$ 38.4	\$ 38.4	\$ (427.5)	\$ (427.5)	\$ (389.1)	\$ (389.1)	\$ (262.4)	\$ (262.4)	\$ (126.7)	-48.3%	



## STATE OF NEW YORK

## TRUST FUNDS

## COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES

(amounts in millions)

EXHIBIT C

	PENSION		PRIVATE PURPOSE		TOTAL TRUST FUNDS			YEAR OVER YEAR	
	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	9 MOS. ENDED DEC. 31, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease
<b>RECEIPTS:</b>									
Miscellaneous Receipts	\$ 15.8	\$ 95.0	\$ -	\$ 0.2	\$ 15.8	\$ 95.2	\$ 114.0	\$ (18.8)	-16.5%
Total Receipts	<u>15.8</u>	<u>95.0</u>	<u>-</u>	<u>0.2</u>	<u>15.8</u>	<u>95.2</u>	<u>114.0</u>	<u>(18.8)</u>	<u>-16.5%</u>
<b>DISBURSEMENTS:</b>									
Departmental Operations:									
Personal Service	5.6	55.4	-	0.2	5.6	55.6	52.3	3.3	6.3%
Non-Personal Service	2.7	8.7	-	-	2.7	8.7	29.3	(20.6)	-70.3%
General State Charges	5.2	31.1	-	0.1	5.2	31.2	28.4	2.8	9.9%
Total Disbursements	<u>13.5</u>	<u>95.2</u>	<u>-</u>	<u>0.3</u>	<u>13.5</u>	<u>95.5</u>	<u>110.0</u>	<u>(14.5)</u>	<u>-13.2%</u>
Excess (Deficiency) of Receipts Over Disbursements	<u>2.3</u>	<u>(0.2)</u>	<u>-</u>	<u>(0.1)</u>	<u>2.3</u>	<u>(0.3)</u>	<u>4.0</u>	<u>(4.3)</u>	<u>-107.5%</u>
<b>OTHER FINANCING SOURCES (USES):</b>									
Transfers from Other Funds	-	-	-	-	-	-	-	-	0.0%
Transfers to Other Funds	-	-	-	-	-	-	-	-	0.0%
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0.0%</u>
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	<u>2.3</u>	<u>(0.2)</u>	<u>-</u>	<u>(0.1)</u>	<u>2.3</u>	<u>(0.3)</u>	<u>4.0</u>	<u>(4.3)</u>	<u>-107.5%</u>
Beginning Fund Balances (Deficits)	<u>(3.6)</u>	<u>(1.1)</u>	<u>14.2</u>	<u>14.3</u>	<u>10.6</u>	<u>13.2</u>	<u>10.2</u>	<u>3.0</u>	<u>29.4%</u>
Ending Fund Balances (Deficits)	<u>\$ (1.3)</u>	<u>\$ (1.3)</u>	<u>\$ 14.2</u>	<u>\$ 14.2</u>	<u>\$ 12.9</u>	<u>\$ 12.9</u>	<u>\$ 14.2</u>	<u>\$ (1.3)</u>	<u>-9.2%</u>

## EXHIBIT D

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR NINE MONTHS ENDED DECEMBER 31, 2020  
(amounts in millions)

	ALL GOVERNMENTAL FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
<b>RECEIPTS:</b>					
Taxes:					
Personal Income	\$ 34,547.0	\$ 35,457.0	\$ 36,798.2	\$ 2,251.2	\$ 1,341.2
Consumption/Use	11,534.0	11,254.0	12,043.7	509.7	789.7
Business	6,215.0	6,539.0	6,130.9	(84.1)	(408.1)
Other	1,554.0	1,545.0	1,613.3	59.3	68.3
Miscellaneous Receipts	24,156.0	24,959.0	23,980.0	(176.0)	(979.0)
Federal Receipts	52,555.0	61,301.0	62,166.1	9,611.1	865.1
<b>Total Receipts</b>	<b>130,561.0</b>	<b>141,055.0</b>	<b>142,732.2</b>	<b>12,171.2</b>	<b>1,677.2</b>
<b>DISBURSEMENTS:</b>					
Local Assistance Grants	93,225.0	97,982.0	96,198.3	2,973.3	(1,783.7)
Departmental Operations	15,961.0	19,554.0	16,389.1	428.1	(3,164.9)
General State Charges	6,756.0	6,711.0	6,540.0	(216.0)	(171.0)
Debt Service	1,731.0	2,592.0	2,681.2	950.2	89.2
Capital Projects	7,372.0	5,817.0	5,387.3	(1,984.7)	(429.7)
<b>Total Disbursements</b>	<b>125,045.0</b>	<b>132,656.0</b>	<b>127,195.9</b>	<b>2,150.9</b>	<b>(5,460.1)</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>5,516.0</b>	<b>8,399.0</b>	<b>15,536.3</b>	<b>10,020.3</b>	<b>7,137.3</b>
<b>OTHER FINANCING SOURCES (USES):</b>					
Bond and Note Proceeds, net	-	-	-	-	-
Transfers from Other Funds	24,329.0	25,248.0	25,625.5	1,296.5	377.5
Transfers to Other Funds	(24,425.0)	(25,468.0)	(25,836.5)	1,411.5	368.5
<b>Total Other Financing Sources (Uses)</b>	<b>(96.0)</b>	<b>(220.0)</b>	<b>(211.0)</b>	<b>(115.0)</b>	<b>9.0</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>5,420.0</b>	<b>8,179.0</b>	<b>15,325.3</b>	<b>9,905.3</b>	<b>7,146.3</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>14,284.0</b>	<b>14,283.0</b>	<b>14,284.8</b>	<b>0.8</b>	<b>1.8</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ 19,704.0</b>	<b>\$ 22,462.0</b>	<b>\$ 29,610.1</b>	<b>\$ 9,906.1</b>	<b>\$ 7,148.1</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

## EXHIBIT D

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR NINE MONTHS ENDED DECEMBER 31, 2020  
(amounts in millions)

	STATE OPERATING FUNDS (***)			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
<b>RECEIPTS:</b>				
Taxes:				
Personal Income	\$ 34,547.0	\$ 35,457.0	\$ 36,798.2	\$ 1,341.2
Consumption/Use	11,125.0	10,854.0	11,640.4	786.4
Business	5,798.0	6,109.0	5,721.0	(388.0)
Other	1,470.0	1,462.0	1,529.9	67.9
Miscellaneous Receipts	17,916.0	19,324.0	19,071.1	(252.9)
Federal Receipts	36.0	61.0	44.3	(16.7)
<b>Total Receipts</b>	<b>70,992.0</b>	<b>73,267.0</b>	<b>74,804.9</b>	<b>1,537.9</b>
<b>DISBURSEMENTS:</b>				
Local Assistance Grants	44,572.0	43,526.0	43,167.8	(358.2)
Departmental Operations	14,388.0	13,340.0	12,089.6	(1,250.4)
General State Charges	6,496.0	6,257.0	6,056.4	(200.6)
Debt Service	1,598.0	2,580.0	2,579.0	(1.0)
Capital Projects	-	-	-	-
<b>Total Disbursements</b>	<b>67,054.0</b>	<b>65,703.0</b>	<b>63,892.8</b>	<b>(3,161.2)</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>3,938.0</b>	<b>7,564.0</b>	<b>10,912.1</b>	<b>3,348.1</b>
<b>OTHER FINANCING SOURCES (USES):</b>				
Transfers from Other Funds	22,087.0	23,619.0	23,959.1	340.1
Transfers to Other Funds	(22,724.0)	(23,615.0)	(24,250.0)	635.0
<b>Total Other Financing Sources (Uses)</b>	<b>(637.0)</b>	<b>4.0</b>	<b>(290.9)</b>	<b>(294.9)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>3,201.0</b>	<b>7,568.0</b>	<b>10,621.2</b>	<b>3,053.2</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>14,408.0</b>	<b>14,407.0</b>	<b>14,408.3</b>	<b>1.3</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ 17,609.0</b>	<b>\$ 21,975.0</b>	<b>\$ 25,029.5</b>	<b>\$ 3,054.5</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

(\*\*\*) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal Funds) and Debt Service Funds.

(\*\*\*\*) Eliminations between Special Revenue - State and Federal Funds are not included.

**STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
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(amounts in millions)**

EXHIBIT D

	GENERAL FUND				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
<b>RECEIPTS:</b>					
Taxes:					
Personal Income	\$ 17,228.0	\$ 17,683.0	\$ 18,362.5	\$ 1,134.5	\$ 679.5
Consumption/Use	5,150.0	5,044.0	5,392.5	242.5	348.5
Business	4,487.0	4,777.0	4,470.1	(16.9)	(306.9)
Other	890.0	878.0	965.7	75.7	87.7
Miscellaneous Receipts	5,847.0	6,392.0	6,579.7	732.7	187.7
Federal Receipts	-	-	0.2	0.2	0.2
Transfers From:					
PIT / ECET in excess of Revenue Bond Debt Service	12,978.0	14,130.0	14,222.2	1,244.2	92.2
Sales Tax in excess of LGAC / STRBF Debt Service	3,714.0	3,599.0	3,983.1	269.1	384.1
Real Estate Taxes in excess of CW/CA Debt Service	544.0	546.0	526.3	(17.7)	(19.7)
All Other	1,022.0	1,544.0	1,231.2	209.2	(312.8)
<b>Total Receipts and Other Financing Sources</b>	<b>51,860.0</b>	<b>54,593.0</b>	<b>55,733.5</b>	<b>3,873.5</b>	<b>1,140.5</b>
<b>DISBURSEMENTS:</b>					
Local Assistance Grants	33,516.0	32,391.0	32,174.6	(1,341.4)	(216.4)
Departmental Operations	8,769.0	7,455.0	6,382.4	(2,386.6)	(1,072.6)
General State Charges	5,680.0	5,509.0	5,377.7	(302.3)	(131.3)
Transfers To:					
Debt Service	151.0	163.0	154.1	3.1	(8.9)
Capital Projects	2,172.0	1,590.0	2,183.9	11.9	593.9
State Share Medicaid	-	-	249.9	249.9	249.9
SUNY Operations	1,214.0	1,002.0	987.4	(226.6)	(14.6)
Other Purposes	848.0	894.0	615.3	(232.7)	(278.7)
<b>Total Disbursements and Other Financing Uses</b>	<b>52,350.0</b>	<b>49,004.0</b>	<b>48,125.3</b>	<b>(4,224.7)</b>	<b>(878.7)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(490.0)</b>	<b>5,589.0</b>	<b>7,608.2</b>	<b>8,098.2</b>	<b>2,019.2</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>8,944.0</b>	<b>8,944.0</b>	<b>8,944.2</b>	<b>0.2</b>	<b>0.2</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ 8,454.0</b>	<b>\$ 14,533.0</b>	<b>\$ 16,552.4</b>	<b>\$ 8,098.4</b>	<b>\$ 2,019.4</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

(\*\*\*) Includes transfers to the Department of Health Income Fund and the State University Income Fund representing payments for patients residing in State-Operated Health and State University facilities.



## EXHIBIT D

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR NINE MONTHS ENDED DECEMBER 31, 2020  
(amounts in millions)

SPECIAL REVENUE FUNDS						
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Eliminations	Total	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
<b>RECEIPTS:</b>						
Taxes:						
Personal Income	\$ 46.0	\$ 45.0	\$ 36.6	\$ -	\$ 36.6	\$ (9.4)
Consumption/Use	1,315.0	1,274.0	1,335.6	-	1,335.6	20.6
Business	1,311.0	1,332.0	1,250.9	-	1,250.9	(60.1)
Miscellaneous Receipts	11,902.0	12,780.0	12,314.6	-	12,314.6	412.6
Federal Receipts	50,933.0	59,756.0	60,581.9	-	60,581.9	9,648.9
Transfers from Other Funds (***)	2,410.0	2,246.0	2,394.8	(550.5)	1,844.3	(565.7)
<b>Total Receipts and Other Financing Sources</b>	<b>67,917.0</b>	<b>77,433.0</b>	<b>77,914.4</b>	<b>(550.5)</b>	<b>77,363.9</b>	<b>9,446.9</b>
<b>DISBURSEMENTS:</b>						
Local Assistance Grants	55,944.0	62,097.0	60,181.1	-	60,181.1	4,237.1
Departmental Operations	7,170.0	12,065.0	9,982.8	-	9,982.8	2,812.8
General State Charges	1,076.0	1,202.0	1,162.3	-	1,162.3	86.3
Debt Service	133.0	12.0	102.2	-	102.2	(30.8)
Capital Projects	-	2.0	2.3	-	2.3	0.3
Transfers to Other Funds (***)	1,520.0	1,767.0	2,017.2	(550.5)	1,466.7	(53.3)
<b>Total Disbursements and Other Financing Uses</b>	<b>65,843.0</b>	<b>77,145.0</b>	<b>73,447.9</b>	<b>(550.5)</b>	<b>72,897.4</b>	<b>7,054.4</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>2,074.0</b>	<b>288.0</b>	<b>4,466.5</b>	<b>-</b>	<b>4,466.5</b>	<b>4,178.5</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>6,312.0</b>	<b>6,311.0</b>	<b>6,312.1</b>	<b>-</b>	<b>6,312.1</b>	<b>0.1</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ 8,386.0</b>	<b>\$ 6,599.0</b>	<b>\$ 10,778.6</b>	<b>\$ -</b>	<b>\$ 10,778.6</b>	<b>\$ 4,179.6</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

(\*\*\*) Actual reported transfer amounts include eliminations between Special Revenue - State and Federal Funds.

**STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
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(amounts in millions)**

**EXHIBIT D**

	STATE SPECIAL REVENUE FUNDS				FEDERAL SPECIAL REVENUE FUNDS			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Enacted Financial Plan	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan
<b>RECEIPTS:</b>								
Taxes:								
Personal Income	\$ 48.0	\$ 45.0	\$ 36.6	\$ (9.4)	\$ (8.4)	\$ -	\$ -	\$ -
Consumption/Use	1,315.0	1,274.0	1,335.6	20.6	61.6	-	-	-
Business	1,311.0	1,332.0	1,250.9	(60.1)	(81.1)	-	-	-
Miscellaneous Receipts	11,784.0	12,644.0	12,165.8	381.8	(478.2)	136.0	148.8	30.8
Federal Receipts	-	37.0	7.2	7.2	(29.8)	59,719.0	60,574.7	855.7
Transfers from Other Funds	2,410.0	2,246.0	2,394.8	(15.2)	148.8	-	-	-
<b>Total Receipts and Other Financing Sources</b>	<b>16,866.0</b>	<b>17,578.0</b>	<b>17,190.9</b>	<b>324.9</b>	<b>(387.1)</b>	<b>59,855.0</b>	<b>60,723.5</b>	<b>868.5</b>
<b>DISBURSEMENTS:</b>								
Local Assistance Grants	11,056.0	11,135.0	10,983.2	(62.8)	(141.8)	50,862.0	49,187.9	4,299.9
Departmental Operations	5,597.0	5,851.0	5,683.3	86.3	(167.7)	6,214.0	4,299.5	2,726.5
General State Charges	816.0	748.0	678.7	(137.3)	(69.3)	454.0	483.6	223.6
Debt Service	-	-	-	-	-	12.0	102.2	(90.8)
Capital Projects	-	-	-	-	-	2.0	2.3	0.3
Transfers to Other Funds	137.0	221.0	233.1	96.1	12.1	1,546.0	1,784.1	401.1
<b>Total Disbursements and Other Financing Uses</b>	<b>17,606.0</b>	<b>17,955.0</b>	<b>17,588.3</b>	<b>(17.7)</b>	<b>(366.7)</b>	<b>59,190.0</b>	<b>55,859.6</b>	<b>7,622.6</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(740.0)</b>	<b>(377.0)</b>	<b>(397.4)</b>	<b>342.6</b>	<b>(20.4)</b>	<b>665.0</b>	<b>4,863.9</b>	<b>4,198.9</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>5,401.0</b>	<b>5,400.0</b>	<b>5,400.7</b>	<b>(0.3)</b>	<b>0.7</b>	<b>911.0</b>	<b>911.4</b>	<b>0.4</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ 4,661.0</b>	<b>\$ 5,023.0</b>	<b>\$ 5,003.3</b>	<b>\$ 342.3</b>	<b>\$ (19.7)</b>	<b>\$ 1,576.0</b>	<b>\$ 5,775.3</b>	<b>\$ 4,199.3</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

**STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
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**EXHIBIT D**

	DEBT SERVICE FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
<b>RECEIPTS:</b>					
Taxes:					
Personal Income	\$ 17,273.0	\$ 17,729.0	\$ 18,399.1	\$ 1,126.1	\$ 670.1
Consumption/Use	4,660.0	4,536.0	4,912.3	252.3	376.3
Other	580.0	584.0	564.2	(15.8)	(19.8)
Miscellaneous Receipts	285.0	288.0	325.6	40.6	37.6
Federal Receipts	36.0	24.0	36.9	0.9	12.9
Transfers from Other Funds	1,419.0	1,554.0	1,601.5	182.5	47.5
<b>Total Receipts and Other Financing Sources</b>	<b>24,253.0</b>	<b>24,715.0</b>	<b>25,839.6</b>	<b>1,586.6</b>	<b>1,124.6</b>
<b>DISBURSEMENTS:</b>					
Departmental Operations	22.0	34.0	23.9	1.9	(10.1)
Debt Service	1,598.0	2,580.0	2,579.0	981.0	(1.0)
Transfers to Other Funds	18,202.0	19,745.0	19,826.3	1,624.3	81.3
<b>Total Disbursements and Other Financing Uses</b>	<b>19,822.0</b>	<b>22,359.0</b>	<b>22,429.2</b>	<b>2,607.2</b>	<b>70.2</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>4,431.0</b>	<b>2,356.0</b>	<b>3,410.4</b>	<b>(1,020.6)</b>	<b>1,054.4</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>63.0</b>	<b>63.0</b>	<b>63.4</b>	<b>0.4</b>	<b>0.4</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ 4,494.0</b>	<b>\$ 2,419.0</b>	<b>\$ 3,473.8</b>	<b>\$ (1,020.2)</b>	<b>\$ 1,054.8</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

**STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
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EXHIBIT D

	CAPITAL PROJECTS FUNDS					
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Eliminations	Total	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
<b>RECEIPTS:</b>						
Taxes:						
Consumption/Use	\$ 409.0	\$ 400.0	\$ 403.3	\$ -	\$ 403.3	\$ (5.7) 3.3
Business	417.0	430.0	409.9	-	409.9	(7.1) (20.1)
Other	84.0	83.0	83.4	-	83.4	(0.6) 0.4
Miscellaneous Receipts	6,122.0	5,499.0	4,760.1	-	4,760.1	(1,361.9) (738.9)
Federal Receipts	1,586.0	1,521.0	1,547.1	-	1,547.1	(38.9) 26.1
Bond and Note Proceeds, net	-	-	-	-	-	- -
Transfers from Other Funds	2,242.0	1,629.0	2,216.9	-	2,216.9	(25.1) 587.9
<b>Total Receipts and Other Financing Sources</b>	<b>10,860.0</b>	<b>9,562.0</b>	<b>9,420.7</b>	<b>-</b>	<b>9,420.7</b>	<b>(1,439.3) (141.3)</b>
<b>DISBURSEMENTS:</b>						
Local Assistance Grants	3,765.0	3,494.0	3,842.6	-	3,842.6	77.6 348.6
Capital Projects	7,372.0	5,815.0	5,385.0	-	5,385.0	(1,987.0) (430.0)
Transfers to Other Funds	318.0	307.0	352.9	-	352.9	34.9 45.9
<b>Total Disbursements and Other Financing Uses</b>	<b>11,455.0</b>	<b>9,616.0</b>	<b>9,580.5</b>	<b>-</b>	<b>9,580.5</b>	<b>(1,874.5) (35.5)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(595.0)</b>	<b>(54.0)</b>	<b>(159.8)</b>	<b>-</b>	<b>(159.8)</b>	<b>435.2 (105.8)</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>(1,035.0)</b>	<b>(1,035.0)</b>	<b>(1,034.9)</b>	<b>-</b>	<b>(1,034.9)</b>	<b>0.1 0.1</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ (1,630.0)</b>	<b>\$ (1,089.0)</b>	<b>\$ (1,194.7)</b>	<b>\$ -</b>	<b>\$ (1,194.7)</b>	<b>\$ 435.3 \$ (105.7)</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.



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BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
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EXHIBIT D

	STATE CAPITAL PROJECTS FUNDS				FEDERAL CAPITAL PROJECTS FUNDS			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Enacted Financial Plan	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan
<b>RECEIPTS:</b>								
Taxes:								
Consumption/Use	\$ 408.0	\$ 400.0	\$ 403.3	\$ (5.7)	\$ (5.7)	\$ -	\$ -	\$ -
Business	417.0	430.0	409.9	(7.1)	(7.1)	-	-	-
Other	84.0	83.0	83.4	(0.6)	(0.6)	-	-	-
Miscellaneous Receipts	6,122.0	5,493.0	4,759.3	(1,362.7)	(738.7)	1.0	0.8	(0.2)
Federal Receipts	2.0	2.0	2.1	0.1	0.1	1,519.0	1,545.0	26.0
Bond and Note Proceeds, net	-	-	-	-	-	-	-	-
Transfers from Other Funds	2,411.0	1,628.0	2,216.9	(194.1)	(587.9)	-	-	-
<b>Total Receipts and Other Financing Sources</b>	<b>9,445.0</b>	<b>8,042.0</b>	<b>7,874.9</b>	<b>(1,570.1)</b>	<b>(167.1)</b>	<b>1,520.0</b>	<b>1,545.8</b>	<b>25.8</b>
<b>DISBURSEMENTS:</b>								
Local Assistance Grants	3,246.0	3,028.0	3,437.1	191.1	409.1	466.0	405.5	(60.5)
Capital Projects	6,421.0	4,817.0	4,455.7	(1,965.3)	(361.3)	968.0	929.3	(68.7)
Transfers to Other Funds	319.0	307.0	352.9	33.9	45.9	-	-	-
<b>Total Disbursements and Other Financing Uses</b>	<b>9,986.0</b>	<b>8,152.0</b>	<b>8,245.7</b>	<b>(1,740.3)</b>	<b>93.7</b>	<b>1,464.0</b>	<b>1,334.8</b>	<b>(129.2)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(541.0)</b>	<b>(110.0)</b>	<b>(370.8)</b>	<b>170.2</b>	<b>(260.8)</b>	<b>56.0</b>	<b>211.0</b>	<b>155.0</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>(471.0)</b>	<b>(471.0)</b>	<b>(472.2)</b>	<b>(1.2)</b>	<b>(1.2)</b>	<b>(564.0)</b>	<b>(562.7)</b>	<b>1.3</b>
<b>Fund Balances (Deficits) at December 31, 2020</b>	<b>\$ (1,012.0)</b>	<b>\$ (581.0)</b>	<b>\$ (843.0)</b>	<b>\$ 169.0</b>	<b>\$ (262.0)</b>	<b>\$ (508.0)</b>	<b>\$ (351.7)</b>	<b>\$ 156.3</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(\*\*) Source: 2020-21 Mid Year Update dated October 30, 2020.

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
COMPARATIVE SCHEDULE OF TAX RECEIPTS  
(amounts in millions)

EXHIBIT E

	GENERAL		SPECIAL REVENUE		DEBT SERVICE		CAPITAL PROJECTS		TOTAL GOVERNMENTAL FUNDS		YEAR OVER YEAR	
	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	MONTH OF DEC. 2020	9 MOS. ENDED DEC. 31, 2020	\$ Increase/ (Decrease)	% Increase/ Decrease
<b>PERSONAL INCOME TAX</b>												
Withholding	\$ 4,648.0	\$ 28,235.8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 28,235.8	\$ 4,054.3	\$ 28,235.8	\$ 398.0	1.4%
Estimated Payments	335.5	11,347.7	-	-	-	-	-	11,347.7	379.8	12,955.8	(1,608.1)	-12.4%
Returns	32.3	3,254.2	-	-	-	-	-	3,254.2	24.6	3,198.8	55.4	1.7%
State/City Offsets	(58.3)	(1,023.9)	-	-	-	-	-	(1,023.9)	(58.3)	(985.6)	28.3	2.8%
Other (Assessments/LLC)	119.3	850.0	-	-	-	-	-	850.0	134.6	1,008.9	(158.9)	-15.7%
<b>Gross Receipts</b>	<b>5,076.8</b>	<b>43,663.8</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>43,663.8</b>	<b>4,575.6</b>	<b>45,004.7</b>	<b>(1,340.9)</b>	<b>-3.0%</b>
Transfers to School Tax Relief Fund	(35.0)	(36.6)	35.0	36.6	-	-	-	-	-	-	-	0.0%
Transfers to Revenue Bond Tax Fund	(2,416.4)	(18,399.1)	-	-	2,416.4	18,399.1	-	-	(287.6)	(7,687.5)	(821.9)	-10.7%
Less: Refunds Issued	(244.0)	(6,865.6)	-	-	-	-	-	(6,865.6)	4,832.8	37,798.2	(619.0)	-1.4%
<b>Total</b>	<b>2,381.4</b>	<b>18,392.5</b>	<b>35.0</b>	<b>36.6</b>	<b>2,416.4</b>	<b>18,399.1</b>	<b>-</b>	<b>37,798.2</b>	<b>4,288.0</b>	<b>37,317.2</b>	<b>(471.2)</b>	<b>-1.2%</b>
<b>CONSUMPTION/USE TAXES</b>												
Sales and Use	707.2	4,915.9	86.3	688.6	706.7	4,912.3	-	10,486.8	1,586.8	12,155.6	(1,668.8)	-13.6%
Auto Rental	-	-	3.8	8.7	-	-	15.3	50.5	26.2	83.5	(33.0)	-39.5%
Cigarette/Tobacco Products	26.5	245.3	61.0	556.3	-	-	-	801.6	96.2	819.0	(17.4)	-2.1%
Medical Marijuana	-	-	0.8	6.2	-	-	-	6.2	0.6	4.3	1.9	44.2%
Motor Fuel	-	-	8.7	69.9	-	-	33.7	328.7	39.9	395.3	(66.6)	-16.8%
Alcoholic Beverage	18.6	208.5	-	-	-	-	42.4	208.5	20.4	189.5	9.0	4.5%
Highway Use	-	-	0.1	0.4	-	-	103.1	103.1	13.8	110.2	(7.1)	-6.4%
Vapor Excise	-	-	6.8	25.5	-	-	-	25.5	-	-	25.5	100.0%
Opium Excise	0.2	22.8	-	-	-	-	22.8	-	-	-	22.8	100.0%
<b>Total</b>	<b>752.5</b>	<b>5,392.5</b>	<b>167.5</b>	<b>1,335.6</b>	<b>706.7</b>	<b>4,912.3</b>	<b>61.6</b>	<b>12,043.7</b>	<b>1,783.9</b>	<b>13,767.4</b>	<b>(1,723.7)</b>	<b>-12.5%</b>
<b>BUSINESS TAXES</b>												
Corporation Franchise	908.1	2,863.5	171.0	691.5	-	-	-	3,555.0	1,030.6	3,534.8	20.2	0.6%
Corporation and Utilities	74.8	261.1	24.9	84.9	-	-	2.3	354.1	119.4	415.1	(61.0)	-14.7%
Insurance	379.5	1,198.5	42.1	137.1	-	-	-	1,355.6	457.8	1,526.6	(191.0)	-12.5%
Bank	1.1	147.0	0.5	16.6	-	-	-	165.6	13.8	(29.9)	195.5	653.6%
Petroleum Business	-	-	35.4	318.8	-	-	44.8	81.2	91.3	897.1	(715.5)	-19.7%
<b>Total</b>	<b>1,363.5</b>	<b>4,470.1</b>	<b>274.9</b>	<b>1,250.9</b>	<b>-</b>	<b>-</b>	<b>47.1</b>	<b>6,130.9</b>	<b>1,772.9</b>	<b>6,343.7</b>	<b>(212.8)</b>	<b>-3.4%</b>
<b>OTHER TAXES</b>												
Real Property Gains	-	-	-	-	-	-	-	-	-	-	-	0.0%
Estate and Gift	123.1	956.5	-	-	-	-	-	956.5	143.6	813.5	143.0	17.6%
Pan-Mutuel	0.9	8.1	-	-	-	-	-	8.1	1.0	12.2	(4.1)	-33.6%
Real Estate Transfer	-	-	-	-	95.2	563.1	11.9	646.5	86.1	857.2	(210.7)	-24.6%
Racing and Exhibitions	-	0.1	-	-	-	-	-	0.1	0.1	2.0	(1.9)	-95.0%
Employer Compensation Expense Tax	0.4	1.0	-	-	0.4	1.1	-	2.1	0.4	1.4	0.7	50.0%
<b>Total</b>	<b>124.4</b>	<b>965.7</b>	<b>-</b>	<b>-</b>	<b>95.6</b>	<b>564.2</b>	<b>11.9</b>	<b>1,613.3</b>	<b>231.2</b>	<b>1,686.3</b>	<b>(73.0)</b>	<b>-4.3%</b>
<b>Total Tax Receipts</b>	<b>\$ 4,621.8</b>	<b>\$ 25,190.8</b>	<b>\$ 477.4</b>	<b>\$ 2,623.1</b>	<b>\$ 3,218.7</b>	<b>\$ 23,875.6</b>	<b>\$ 120.6</b>	<b>\$ 56,596.1</b>	<b>\$ 8,016.0</b>	<b>\$ 59,114.6</b>	<b>\$ (2,526.5)</b>	<b>-4.3%</b>

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STATE OF NEW YORK  
GOVERNMENTAL FUNDS (\*)  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	2020	2019	9 Months Ended December 31 \$ Increase/ (Decrease)	% Increase/ Decrease
Revenues of State Departments:																
Administrative Recoveries	26.0	8.8	26.4	8.1	8.9	25.6	24.5	8.8	22.6	158.7	158.9	158.7	158.7	158.9	(1.2)	-0.8%
Commissions	0.6	(0.3)	0.2	0.2	-	1.3	0.2	0.9	14.2	1.3	17.3	19.2	17.3	19.2	(1.9)	-9.9%
Commissions - Asset Conversion	-	-	-	-	-	-	-	-	68.0	68.0	68.0	68.0	68.0	68.0	-	0.0%
Gifts, Grants and Donations	0.6	2.2	27.9	0.7	1.9	2.1	5.9	0.7	3.4	26.4	26.4	26.4	26.4	26.4	19.0	72.0%
Indirect Cost Recoveries	5.5	5.4	7.4	5.9	6.1	5.7	5.0	5.5	6.7	55.2	60.6	60.6	55.2	60.6	(5.4)	-8.9%
Patient/Client Care Reimbursement	528.5	372.8	350.6	227.5	221.8	79.0	291.4	187.1	371.4	2,628.1	1,894.7	2,628.1	1,894.7	2,628.1	643.4	32.4%
Rebates	7.8	15.3	13.2	17.7	12.7	12.7	9.8	13.8	12.7	115.7	128.1	115.7	128.1	128.1	(12.4)	-8.7%
Restitution and Settlements	7.0	0.6	0.6	0.3	42.7	5.3	0.6	1.3	2.0	63.4	37.8	63.4	37.8	63.4	25.6	67.7%
State Debt	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	(0.0)	0.0%
All Other	(19.5)	10.7	30.0	75.6	48.8	65.5	75.7	42.8	41.3	386.9	503.7	386.9	503.7	503.7	(134.8)	-26.8%
Sales	0.5	0.6	2.8	3.0	0.8	0.7	1.8	0.8	0.6	11.2	18.1	11.2	18.1	18.1	(6.9)	-38.1%
Tuition	(67.5)	33.6	56.9	50.9	113.3	375.7	172.8	48.7	(32.8)	755.6	919.0	755.6	919.0	919.0	(168.4)	-18.1%
Total Miscellaneous Receipts	2,637.2	2,436.7	5,557.9	1,978.6	1,550.7	2,444.4	2,831.9	1,699.2	2,840.4	23,860.0	20,544.4	23,860.0	20,544.4	20,544.4	3,315.6	16.7%
Federal Receipts	10,863.1	4,207.0	7,520.2	5,423.2	4,591.2	10,136.1	7,609.2	4,274.8	7,541.3	62,166.1	48,735.4	62,166.1	48,735.4	48,735.4	12,430.7	25.0%
Total Receipts	17,168.3	9,765.3	20,277.3	18,884.2	10,484.2	21,382.8	14,782.2	10,281.7	18,820.2	142,732.2	129,384.4	142,732.2	129,384.4	129,384.4	13,347.8	10.3%
DISBURSEMENTS:																
Local Assistance Grants:																
Education	1,149.2	4,132.7	3,964.9	786.2	1,070.5	4,157.3	1,350.8	1,804.3	2,665.5	21,094.4	22,843.1	21,094.4	22,843.1	22,843.1	(1,748.7)	-8.1%
Environment and Recreation	4.5	3.7	14.0	12.9	20.6	15.6	7.7	10.0	20.8	109.8	152.0	109.8	152.0	152.0	(42.2)	-27.8%
General Government	48.5	17.7	543.7	67.4	108.0	3,937.2	322.4	159.0	333.9	5,538.8	1,857.9	5,538.8	1,857.9	1,857.9	3,680.9	198.1%
Public Health:																
Medicaid	5,410.3	5,089.6	6,082.5	5,357.6	5,292.8	7,004.6	4,286.1	4,812.6	6,708.3	50,055.4	48,517.5	50,055.4	48,517.5	48,517.5	537.9	1.1%
Other Public Health	602.5	638.5	980.4	1,028.7	701.7	1,078.5	815.2	774.3	864.5	7,484.3	7,551.0	7,484.3	7,551.0	7,551.0	(66.7)	-0.9%
Public Safety	85.3	63.8	163.3	285.2	71.2	151.0	634.7	96.8	180.7	1,891.8	1,218.8	1,891.8	1,218.8	1,218.8	465.2	38.2%
Public Welfare	211.8	217.7	388.7	650.9	384.1	1,487.5	479.0	384.6	425.6	4,920.7	5,322.8	4,920.7	5,322.8	5,322.8	(402.1)	-7.4%
State Debt	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	(0.0)	0.0%
Transportation	80.0	90.9	72.8	825.5	509.6	618.1	745.0	856.3	1,008.2	4,812.2	4,860.9	4,812.2	4,860.9	4,860.9	(48.7)	-1.0%
Total Local Assistance Grants	7,660.2	10,278.5	12,246.0	8,234.0	8,234.0	18,472.1	8,765.1	9,022.1	12,353.3	96,186.3	94,104.4	96,186.3	94,104.4	94,104.4	2,081.9	2.2%
Departmental Operations:																
Personal Service	1,569.5	1,135.9	1,116.4	1,278.8	1,053.9	1,527.0	1,119.2	1,080.2	1,298.5	11,189.4	11,258.6	11,189.4	11,258.6	11,258.6	(69.2)	-0.6%
Non-Personal Service	584.1	417.0	504.4	577.1	605.9	756.7	620.6	492.9	641.0	5,198.7	4,843.5	5,198.7	4,843.5	4,843.5	256.2	5.2%
General State Charges	535.2	395.0	2,621.5	471.9	414.0	616.1	511.7	500.1	474.5	6,540.0	7,114.4	6,540.0	7,114.4	7,114.4	(574.4)	-8.1%
Debt Service, Including Payments on	36.5	23.5	28.9	10.7	337.6	841.9	39.8	30.4	1,332.0	2,681.2	1,512.2	2,681.2	1,512.2	1,512.2	1,169.0	77.3%
Financing Agreements	508.8	408.0	581.8	587.7	786.7	786.7	535.5	639.6	639.6	5,387.3	5,425.0	5,387.3	5,425.0	5,425.0	(37.7)	-0.7%
Capital Projects																
Total Disbursements	10,863.3	12,556.9	17,198.0	12,213.9	11,303.1	22,920.4	11,530.0	11,745.5	16,731.8	-	-	-	127,165.9	124,356.1	2,809.8	2.3%
Excess (Deficiency) of Receipts over Disbursements	6,263.0	(2,891.6)	3,028.3	7,670.3	(818.9)	(1,537.6)	3,186.2	(1,463.8)	2,088.4	-	-	-	15,536.3	5,035.3	10,501.0	208.5%
OTHER FINANCING SOURCES (USES):																
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Transfers from Other Funds	1,063.1	1,899.4	4,185.9	5,657.2	1,862.7	3,318.7	1,862.5	2,244.8	3,331.2	25,625.5	32,960.4	25,625.5	32,960.4	32,960.4	(7,034.9)	-21.5%
Transfers to Other Funds	(1,063.0)	(1,899.3)	(4,240.9)	(5,656.9)	(1,864.9)	(3,428.9)	(1,864.9)	(2,244.8)	(3,331.2)	(25,625.5)	(32,960.4)	(25,625.5)	(32,960.4)	(32,960.4)	(6,533.9)	-21.2%
Total Other Financing Sources (Uses)	(3.4)	(2.5)	(55.0)	(5.9)	(11.9)	(118.1)	(6.9)	(3.0)	(3.3)	(211.0)	(110.0)	(211.0)	(110.0)	(110.0)	(101.0)	-91.8%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	6,259.6	(2,894.1)	2,973.3	7,664.4	(830.8)	(1,656.7)	3,191.3	(1,466.8)	2,085.1	-	-	-	15,325.3	4,925.3	10,400.0	211.2%
Ending Fund Balance	\$ 20,544.4	\$ 17,550.3	\$ 20,623.6	\$ 27,457.2	\$ 25,880.5	\$ 28,991.8	\$ 28,991.8	\$ 27,525.0	\$ 26,010.1	\$ -	\$ -	\$ -	\$ 26,010.1	\$ 14,900.3	\$ 14,900.3	98.7%

(\*) Governmental Funds includes General, Special Revenue, Debt Service and Capital Projects Funds combined.



STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
STATEMENT OF CASH FLOW - STATE OPERATING (\*)  
FISCAL YEAR 2020-2021  
(amounts in millions)

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	2020 \$	2021 \$	9 Months Ended December 31 \$	% Increase/ Decrease
<b>Beginning Fund Balance</b>	\$ 14,408.3	\$ 16,171.6	\$ 13,542.7	\$ 14,663.2	\$ 22,865.9	\$ 22,418.0	\$ 22,383.0	\$ 23,825.2	\$ 23,940.5	-	-	-	\$ 14,408.3	\$ 12,361.3	\$ 2,047.0	16.6%
<b>RECEIPTS:</b>																
Personal Income Tax:																
Withholdings	3,187.3	2,928.3	3,086.3	3,400.3	2,876.6	3,147.2	2,919.5	3,032.3	4,648.0				28,235.8	26,836.8	389.0	1.4%
Unremitted Payments	1,068.0	1,068.0	1,068.0	1,068.0	1,068.0	1,068.0	1,068.0	1,068.0	1,068.0				10,680.0	10,680.0	-	0.0%
StateCity Offsets	339.1	124.7	260.9	9,765.0	69.3	82.4	520.0	51.4	38.5				3,254.2	3,195.8	58.5	1.2%
Other (Assessments)/LC	(69.8)	(39.8)	(68.4)	(187.0)	(28.1)	(71.7)	(444.9)	(65.9)	(58.3)				(1,023.9)	(1,008.9)	28.3	2.8%
<b>Gross Receipts</b>	<b>3,775.6</b>	<b>3,144.2</b>	<b>4,854.8</b>	<b>11,410.3</b>	<b>3,114.1</b>	<b>5,766.8</b>	<b>3,317.7</b>	<b>3,208.3</b>	<b>5,076.8</b>	-	-	-	<b>43,663.8</b>	<b>45,004.7</b>	<b>(1,340.9)</b>	-3.0%
Transfers to School Tax Relief Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers to Revenue Bond Tax Fund	(1,705.4)	(645.0)	(486.3)	(1,179.8)	(381.1)	(695.4)	(781.1)	(633.5)	(244.0)	-	-	-	(6,865.6)	(7,687.5)	(821.9)	-10.7%
<b>Net Receipts</b>	<b>2,069.2</b>	<b>2,499.2</b>	<b>4,368.5</b>	<b>10,230.5</b>	<b>2,733.0</b>	<b>5,271.4</b>	<b>2,536.6</b>	<b>2,574.8</b>	<b>4,832.8</b>	-	-	-	<b>36,798.2</b>	<b>37,317.2</b>	<b>(519.0)</b>	-1.4%
<b>Consumption/Use Taxes:</b>																
Sales and Use	868.4	780.8	1,210.0	1,132.4	1,146.4	1,540.2	1,140.6	1,166.8	1,500.2				10,486.8	12,155.6	(1,668.8)	-13.6%
Auto Rental	(0.1)	(1.5)	3.4	2.1	2.1	(1.1)	-	-	3.8				8.7	12.9	(4.2)	-32.6%
Cigarette/Tobacco Products	98.8	74.0	86.1	97.8	87.0	103.4	81.0	86.0	97.5				801.5	819.0	(17.4)	-2.1%
Alcoholic Beverage	6.5	4.7	6.6	8.5	8.9	8.9	8.3	8.6	8.7				69.5	83.6	(13.7)	-19.4%
Motor Fuel	26.7	21.4	22.8	26.0	23.1	23.3	23.7	22.9	18.6				208.5	199.5	9.0	4.5%
Highway Use	-	0.1	-	-	0.1	-	-	0.1	0.1				0.4	0.4	-	0.0%
Vapor Excise	-	0.1	11.7	(0.4)	(0.1)	7.4	-	-	6.8				25.5	-	25.5	100.0%
Opoid Excise	7.2	-	-	8.9	(1.8)	0.3	0.2	0.1	0.2				22.9	-	22.9	100.0%
<b>Business Tax/Consumption/Use Taxes</b>	<b>1,005.0</b>	<b>890.2</b>	<b>1,341.3</b>	<b>1,273.9</b>	<b>1,285.5</b>	<b>1,653.1</b>	<b>1,260.5</b>	<b>1,283.2</b>	<b>1,626.7</b>	-	-	-	<b>11,600.1</b>	<b>13,275.3</b>	<b>(1,634.9)</b>	-12.3%
Business Tax: Franchise	254.4	(134.7)	557.5	553.2	28.7	1,000.7	115.0	90.1	1,079.1				3,534.8	3,534.8	-	0.0%
Corporation and Utilities	155	(9.5)	94.3	28.7	2.2	104.1	9.5	0.5	89.7				346.0	404.0	(58.0)	-14.4%
Insurance	70.2	6.5	364.0	33.3	16.0	391.7	23.1	9.2	421.6				1,335.6	1,526.6	(191.0)	-12.5%
Bank	7.4	2.6	81.9	0.7	46.5	15.3	0.4	(0.7)	1.6				165.6	(28.9)	195.5	663.8%
Other Business	32.7	37.0	37.6	39.5	39.5	39.5	39.5	39.5	39.5				395.5	395.5	-	0.0%
<b>Total Business Taxes</b>	<b>377.8</b>	<b>(117.5)</b>	<b>1,145.3</b>	<b>665.9</b>	<b>133.1</b>	<b>1,553.6</b>	<b>187.6</b>	<b>135.6</b>	<b>1,638.4</b>	-	-	-	<b>5,721.0</b>	<b>5,828.3</b>	<b>(107.3)</b>	-1.9%
Other Taxes:																
Real Property Gains	-	-	-	-	-	-	-	-	-				-	-	-	0.0%
Estate and Gift	72.7	52.0	147.3	147.7	55.8	91.3	135.1	131.5	123.1				956.5	813.5	143.0	17.6%
Permit-Mutual	0.7	0.2	0.8	1.0	1.4	0.7	0.8	0.8	0.9				8.1	12.2	(4.1)	-33.9%
Real Estate Transfer	57.2	48.4	37.9	53.0	56.4	70.3	65.8	78.9	95.2				563.1	775.8	(210.7)	-37.2%
Other Taxes	0.2	(0.2)	0.2	0.2	0.2	0.2	0.3	0.2	0.8				2.1	1.4	0.7	50.0%
Employer Compensation Expense Tax	-	-	-	-	-	-	-	-	-				-	-	-	0.0%
<b>Total Other Taxes</b>	<b>130.9</b>	<b>100.4</b>	<b>188.2</b>	<b>201.9</b>	<b>113.8</b>	<b>162.5</b>	<b>202.8</b>	<b>211.4</b>	<b>220.0</b>	-	-	-	<b>1,528.9</b>	<b>1,602.9</b>	<b>(73.0)</b>	-4.6%
<b>Total Taxes</b>	<b>3,953.9</b>	<b>3,072.3</b>	<b>7,041.3</b>	<b>12,374.2</b>	<b>4,238.4</b>	<b>8,672.0</b>	<b>4,182.5</b>	<b>4,207.0</b>	<b>8,317.9</b>	-	-	-	<b>55,689.5</b>	<b>58,024.3</b>	<b>(2,334.8)</b>	-4.0%
<b>Miscellaneous Receipts:</b>																
Abandoned Property	1.8	0.7	0.8	0.9	25.9	86.0	11.4	215.9	31.4				374.6	285.1	79.5	26.9%
Bottle Bill	0.7	0.3	20.6	(4.6)	0.1	43.2	2.1	0.7	21.4				84.5	72.0	12.5	17.4%
Assessments:																
Business	42.7	21.8	82.4	68.8	33.4	65.5	88.9	6.0	90.8				501.3	525.1	(23.8)	-4.5%
Medical Care	571.2	466.8	506.1	442.6	463.6	520.0	509.0	477.1	507.2				4,463.6	4,825.6	(362.0)	-7.9%
Other	-	-	0.4	(4.4)	0.4	(40.4)	(10.6)	0.1	1.7				3.0	4.0	(1.0)	-27.7%
Fees, Licenses and Permits:																
Alcohol Beverage Control Licensing	2.2	2.9	2.9	4.9	4.8	5.4	5.0	3.8	3.0				34.9	57.1	(22.2)	-38.9%
Audit Fees	-	-	0.1	0.2	0.7	0.7	0.1	0.3	0.1				2.2	2.6	(0.4)	-15.4%
Business/Professional	67.2	68.8	114.4	113.9	46.0	125.5	64.0	43.9	11.9				689.9	729.3	(39.4)	-5.4%
Criminal	0.6	0.4	0.2	1.6	0.9	0.2	0.5	0.1	0.2				1.8	2.2	(0.4)	-22.2%
Motor Vehicle	(82.0)	(33.2)	144.2	140.3	40.2	71.5	53.9	54.8	45.6				434.0	465.6	(31.6)	-6.6%
Recreational/Consumer	43.0	-	36.1	34.2	32.3	147.3	85.2	60.7	57.0				485.8	658.8	(161.0)	-24.5%
Fines, Penalties and Forfeitures	98.6	231.6	16.1	199.9	3.5	13.8	78.1	153.2	9.6				804.4	1,256.3	(451.9)	-36.0%
Gaming:	-	-	-	-	-	8.0	33.4	10.0	10.2				82.4	210.8	(128.2)	-60.9%
Lottery	157.0	142.1	173.8	202.2	195.9	189.3	189.3	171.0	215.6				1,832.8	(307.6)	2,140.4	115.9%
Video Lottery	-	0.6	-	(0.4)	33.8	33.8	59.6	54.2	58.0				709.7	503.9	205.8	29.1%
Interest Earnings	28.2	13.8	7.7	4.3	5.4	5.3	5.0	5.0	5.1				307.6	307.6	-	0.0%
Receipts from Public Authorities:	-	-	-	-	-	-	-	-	-				-	-	-	0.0%
Bond Proceeds	-	1,000.0	3,500.0	-	-	-	-	-	0.4				4,500.4	-	4,500.4	100.0%
Cost Recovery Assessments	-	-	-	-	-	-	8.9	-	-				8.9	52.7	(43.8)	-83.1%

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
STATEMENT OF CASH FLOWS  
FISCAL YEAR 2020-2021  
(amounts in millions)

	2020				2021				9 Months Ended December 31				% Increase/Decrease	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH		2020
Insurance Fees	0.5	1.4	25.5	24.7	-	-	1.8	30.2	0.5	21.6	-	-	106.2	53.7
Non Bond Related	8.9	-	8.9	-	1.8	-	-	0.4	-	28.2	-	-	43.8	28.2
Receipts from Municipalities	9.3	2.5	3.8	3.8	1.7	4.7	4.7	3.4	3.5	5.1	-	-	37.8	69.4
Rentals	(5.1)	(42.9)	(0.3)	(0.3)	4.0	34.7	11.6	61.0	11.6	7.6	-	-	72.7	220.4
Other Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Administrative Receipts:														
Administrative Receipts	25.0	8.8	25.4	9.1	8.9	25.6	25.6	24.5	8.8	22.6	-	-	158.7	159.9
Commissions	0.6	(0.3)	0.2	0.2	-	-	-	1.3	0.2	14.2	-	-	17.3	19.2
Commissions - Asset Conversion	-	-	-	-	-	-	-	-	-	68.0	-	-	68.0	68.0
Gifts, Grants and Donations	0.6	1.5	22.1	0.7	0.6	0.6	0.5	5.1	0.3	68.0	-	-	68.0	68.0
Grants	0.6	1.5	22.1	0.7	0.6	0.6	0.5	5.1	0.3	68.0	-	-	68.0	68.0
Grants - Cost Recoveries	529.5	372.8	350.6	223.5	221.8	79.0	291.0	281.0	187.1	371.4	-	-	2,628.2	1,984.7
Grants - Patient Care Reimbursement	0.1	6.6	6.7	10.2	5.3	6.4	5.3	2.3	6.4	53.4	-	-	46.4	53.4
Rebates	0.1	6.6	6.7	10.2	5.3	6.4	5.3	2.3	6.4	53.4	-	-	46.4	53.4
Restitution and Settlements	3.9	0.4	0.6	0.2	4.1	3.0	3.0	0.3	0.3	53.2	-	-	53.2	27.0
Student Loans	6.1	1.4	3.2	6.4	6.8	3.7	6.0	6.0	3.6	4.9	-	-	42.1	54.5
All Other	(20.1)	8.6	19.0	75.3	48.5	51.9	70.9	75.3	48.5	39.2	-	-	330.8	461.3
Other Financing Sources (Uses)	67.5	33.6	55.9	61.7	55.9	61.7	55.9	61.7	55.9	32.8	-	-	61.7	61.7
Tuition	(67.5)	33.6	55.9	61.7	55.9	61.7	55.9	61.7	55.9	32.8	-	-	61.7	61.7
Total Miscellaneous Receipts	1,431.2	2,321.8	5,133.0	1,741.9	1,833.6	1,955.2	1,833.6	1,833.6	1,955.2	10,063.3	-	-	16,071.1	16,480.2
Federal Receipts	-	-	4.1	(4.1)	2.5	49.9	12.9	(33.5)	12.5	-	-	-	44.3	55.0
Total Receipts	5,015.1	5,394.1	12,178.4	13,972.7	5,640.0	10,877.1	6,030.0	5,783.2	10,105.3	-	-	-	74,894.0	74,559.5
DISBURSEMENTS:														
Local Assistance Grants:														
Education	754.3	4,085.1	3,409.1	563.6	866.2	3,861.8	1,200.2	1,559.5	2,993.1	-	-	-	18,852.9	20,138.1
Environment and Recreation	0.1	0.3	-	0.2	(0.1)	0.4	0.7	0.2	0.3	-	-	-	2.1	3.8
General Government	16.1	4.6	500.0	20.4	62.5	62.5	77.7	18.1	184.1	0.3	-	-	917.1	1,105.5
Health:														
Medicaid	757.7	1,757.8	2,043.9	2,043.9	1,956.5	2,135.5	1,416.5	1,503.7	2,122.7	-	-	-	16,091.7	19,299.6
Other Public Health	93.5	72.8	307.2	486.1	118.0	438.1	234.8	234.8	283.3	-	-	-	2,252.8	2,412.5
Public Safety	20.9	11.1	4.5	16.9	28.4	34.6	17.3	16.9	66.0	-	-	-	194.0	275.1
Public Welfare	77.0	199.2	61.4	578.1	428.8	57.1	70.3	223.3	168.2	-	-	-	1,819.4	1,839.9
Support and Regulate Business	6.4	41.7	18.5	57.8	10.4	10.4	10.4	10.4	10.4	-	-	-	1,819.4	1,839.9
Capital Projects	61.7	18.5	357.9	233.1	243.1	357.9	243.1	256.4	244.1	791.3	-	-	3,292.3	3,292.3
Total Local Assistance Grants	1,783.9	6,118.7	6,807.1	4,443.9	3,316.6	7,213.7	3,297.8	4,004.2	6,174.9	-	-	-	43,512.7	43,512.7
Departmental Operations:														
Personal Service	1,494.8	1,084.9	865.5	1,144.0	980.1	1,443.0	987.4	576.5	(68.0)	-	-	-	8,948.2	10,771.1
Non-Personal Service	543.3	372.9	334.5	308.2	384.5	528.7	432.0	417.2	435.2	-	-	-	3,141.4	3,985.8
Grants	512.5	370.3	2,582.6	386.2	345.3	582.6	434.0	470.8	562.1	-	-	-	6,056.4	6,812.6
Debt Service, Including Payments on	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Financing Agreements	36.5	23.5	28.9	10.7	337.6	841.8	39.8	30.4	1,229.8	-	-	-	2,579.0	1,512.2
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	4,373.0	7,970.3	10,709.9	5,645.6	5,375.1	10,419.8	5,191.0	5,899.1	8,108.0	-	-	-	63,892.8	71,654.4
Excess (Deficiency) of Receipts over Disbursements	642.1	(2,576.2)	1,468.5	8,327.1	264.9	57.3	848.0	(115.9)	1,996.3	-	-	-	10,912.1	2,905.1
OTHER FINANCING SOURCES (USES):														
Transfers from Other Funds (")	1,939.1	1,674.9	3,796.1	5,367.5	1,326.8	3,217.1	2,037.9	1,362.5	3,217.2	-	-	-	23,959.1	29,739.8
Transfers to Other Funds (")	(817.9)	(1,727.6)	(4,202.1)	(5,633.9)	(1,841.6)	(3,107.4)	(1,643.7)	(2,151.3)	(3,124.5)	-	-	-	(24,250.0)	(30,863.0)
Total Other Financing Sources (Uses)	1,121.2	(62.7)	(406.0)	(266.4)	(514.8)	109.7	394.2	(788.8)	92.7	-	-	-	(290.9)	(1,243.2)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	1,763.3	(2,628.9)	1,062.5	8,060.7	(249.9)	167.0	1,242.2	(2,088.0)	2,088.0	-	-	-	10,621.2	1,661.9
Ending Fund Balance	\$ 16,171.6	\$ 13,542.7	\$ 14,605.2	\$ 22,665.9	\$ 22,416.0	\$ 22,883.0	\$ 23,825.2	\$ 22,940.5	\$ 25,028.5	\$ -	\$ -	\$ -	\$ 25,028.5	\$ 14,023.2

<sup>1)</sup> State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal funds) and Debt Service Funds.

STATE OF NEW YORK  
GENERAL FUND  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT F

	2020	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021		9 Months Ended December 31	% Increase/ Decrease
	APRIL									JANUARY		2020	2019
		\$	\$	\$	\$	\$	\$	\$	\$		\$	(Decrease)	
Beginning Fund Balance		\$ 10,082.5	\$ 7,910.2	\$ 6,883.6	\$ 14,383.0	\$ 13,522.7	\$ 15,441.8	\$ 14,930.8	\$ 13,602.7		\$ 8,944.2	\$ 7,205.7	24.1%
RECEIPTS:													
Taxes:													
Personal Income Tax:													
Withholdings	3,187.3	2,928.3	3,098.3	3,400.3	2,876.6	3,147.2	2,919.5	3,032.3	4,648.0		29,235.8	28,836.8	1.4%
Estimated Payments	211.6	70.9	1,433.0	6,232.0	121.3	2,510.0	76.8	99.6	33.5		11,347.7	12,955.8	-12.4%
State/Ch Offsets	(68.8)	(39.8)	(68.4)	(107.1)	(28.1)	(71.7)	(44.9)	(65.9)	(88.3)		(1,023.9)	(895.6)	2.8%
Other (Assessments/LC)	107.4	80.1	63.0	183.0	75.0	97.9	133.3	90.9	119.3		850.0	1,008.9	-15.7%
Gross Receipts	3,775.6	3,144.2	4,854.8	11,410.5	3,114.1	5,766.8	3,312.7	3,268.3	5,076.8		43,863.8	45,040.7	-3.0%
Transfers to School Tax Relief Fund						(0.1)	(0.1)		(35.0)		(35.6)	(41.7)	-12.2%
Transfers to Revenue Bond Tax Fund	(1,033.1)	(1,069.6)	(2,184.2)	(5,115.4)	(1,381.5)	(2,635.7)	(1,295.8)	(1,287.4)	(2,416.4)		(18,396.1)	(18,659.6)	-1.4%
Refunds Issued	(1,708.4)	(645.0)	(488.3)	(1,178.9)	(381.1)	(485.4)	(781.1)	(633.5)	(244.0)		(6,895.9)	(7,887.5)	-10.7%
Personal Income Tax	1035.1	1,089.6	2,143.3	5,153.3	1,381.3	2,653.9	1,456.7	1,289.9	2,397.9		16,392.5	16,916.9	-3.1%
Consumption/Use Taxes:													
Sales and Use	394.9	369.9	572.4	530.0	538.5	748.0	511.5	545.5	707.2		4,915.9	5,663.3	-13.2%
Auto Rental													0.0%
Cigarette/Tobacco Products	30.0					32.4	25.3	26.9	26.5		245.3	248.2	-1.2%
Motor Fuel													0.0%
Alcoholic Beverage	26.7					23.3	23.7	22.9	18.6		208.5	199.5	4.5%
Amusement													0.0%
Vapor Excise													0.0%
Opoid Excise	7.2			8.9		0.3	6.1	0.1	0.2		22.8	22.8	100.0%
Total Consumption/Use Taxes	458.8	414.0	621.1	593.9	586.2	804.0	566.6	595.4	752.5		5,392.5	6,111.0	-11.8%
Business Taxes:													
Corporation Franchise	197.4	(131.5)	447.4	449.2	18.0	835.0	74.3	65.6	908.1		2,893.5	2,801.1	2.2%
Corporation and Utilities	77.7	(2.6)	32.8	33.3	13.5	67.7	17.8	8.4	34.6		1,143.6	1,143.6	0.0%
Insurance	63.0	325.3	325.3	28.9	18.6	348.9	21.9	8.9	379.9		1,342.3	1,342.3	0.0%
Bank	6.1	2.0	78.9	0.7	40.4	18.4	(0.1)	(0.5)	1.1		147.0	(27.9)	628.9%
Petroleum Business													0.0%
Total Business Taxes	278.8	(125.2)	925.5	491.5	77.6	1,281.5	101.5	74.4	1,383.5		4,470.1	4,410.4	1.4%
Other Taxes:													
Real Property Gains													0.0%
Estate and Gift	72.7	50.0	147.7	147.7	55.6	90.3	135.1	131.5	123.1		956.5	813.5	17.6%
Real Estate Transfer	0.7	0.2	0.8	0.0	1.4	0.7	0.6	0.8	0.9		6.1	(4.1)	-33.8%
Racing and Exhibitions													0.0%
Employer Compensation Expense Tax	0.1												-95.0%
Total Other Taxes	73.6	(0.1)	148.2	148.8	57.3	92.1	136.8	132.4	124.4		965.7	878.4	42.9%
Total Taxes	1,845.3	1,440.5	3,979.1	6,340.5	2,022.6	4,813.2	2,070.6	2,089.2	4,621.8		29,190.8	29,966.7	-2.6%
Miscellaneous Receipts:													
Abandoned Property:													
Bottle Bill	0.4				25.1	84.8	10.6	215.0	30.1		366.0	286.3	27.8%
Assessments:	0.7	0.3	20.6	(4.6)	0.1	43.2	2.1	0.7	21.4		72.0	12.5	17.4%
Business:													
Medical Care													0.0%
Public Utilities													-26.3%
Other													0.0%
Fees, Licenses and Permits:													-50.0%
Alcoholic Beverage Control Licensing	2.2	2.9	2.9	4.9	4.8	5.4	5.0	3.8	3.0		34.9	57.1	-38.8%
Business/Professional	15.0	(0.6)	27.9	13.5	8.7	30.7	17.9	4.1	40.6		162.8	189.8	-14.2%
Criminal	1.1	0.9	2.9	1.7	82.7	(14.5)	9.5	29.2	23.6		137.1	(40.2)	-22.7%
Motor Vehicle	(100.4)	0.1	0.1	0.1		0.2	0.1	0.1	0.1		0.9	1.3	-30.8%
Recreational/Consumer													-7.1%
Fines and Penalties	88.9	226.0	147.7	187.7	0.5	3.0	1.9	1.2	1.2		1,014.5	1,014.5	0.0%
Interest Earnings	15.6	5.9	1.6	0.9	1.4	1.9	1.7	1.6	1.4		32.0	135.8	-76.4%
Receipts from Public Authorities:													
Bond Proceeds													100.0%
Cost Recovery Assessments		1,000.0	3,500.0								4,500.0		-100.0%
Insurance Fees													112.9%
Non Bond Related			20.2	24.7	1.8	30.2		0.5	21.6		98.0	46.5	52.5%
Receipts from Municipalities									28.2		3.0	3.0	0.0%
Revenues of State Departments:													-23.5%
Administrative Recoveries	0.2	0.1	0.1	0.1	0.2	0.1		0.3	1.7		16.2	(0.4)	-16.3%
Commissions													-125.0%
Gifts, Grants and Donations	0.4	0.3	16.7	0.4	0.1	15.5	0.3	0.1	14.0		57.1	(9.3)	0.0%
Indirect Cost Recoveries	0.4	(0.4)	0.1		(0.3)	0.5	(0.5)	0.1	0.4		0.4	(0.5)	-8.9%
Indirect Cost Reimbursement	5.5			5.9	6.1	5.7	5.0	5.5	8.7		60.6	60.6	0.0%
Repayment of Loans	(3.7)	54.7	7.4	(17.1)	7.0	(107.3)	2.2	2.6	1.2		(10.3)	1.3	31.1%
Restitution and Settlements	0.2			0.1				0.2	0.7		5.9	(4.7)	-79.7%

## EXHIBIT F

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## EXHIBIT G

Beginning Fund Balance	2020					2021					9 Months Ended December 31, 2021					
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	Eliminations (*)	2020	2019	% Increase (Decrease)
	\$ 6,312.1	\$ 11,224.0	\$ 11,140.2	\$ 14,472.7	\$ 13,232.7	\$ 12,870.2	\$ 9,510.3	\$ 12,183.8	\$ 11,269.9	\$ -	\$ -	\$ -	\$ -	\$ 6,312.1	\$ 3,842.4	\$ 2,469.7 64.3%
Receipts:																
Taxes:																
Personal Income Tax	-	-	-	-	-	0.1	0.1	1.4	35.0	-	-	-	-	36.6	41.7	(5.1) -12.2%
Consumption/Use Taxes:																
Sales and Use	80.3	51.2	65.6	72.7	73.6	83.3	79.2	76.4	86.3	-	-	-	-	668.9	833.5	(164.9) -19.9%
Cigarette/Alcohol Products	68.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	-	-	-	-	21.0	21.0	(0.0) -0.0%
Cigarette/Alcohol Products	68.0	51.3	60.2	68.8	60.4	71.0	55.7	59.1	61.0	-	-	-	-	555.3	570.8	(14.9) -2.5%
Medical Marijuana	0.5	0.6	0.7	0.8	0.7	0.8	0.7	0.6	0.8	-	-	-	-	6.2	4.3	1.9 44.2%
Motor Fuel	6.5	4.7	6.6	8.5	9.1	8.9	8.3	8.6	8.7	-	-	-	-	69.9	83.6	(13.7) -16.4%
Alcoholic Beverage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other	-	0.1	-	-	0.1	-	-	0.1	0.1	-	-	-	-	0.4	0.4	- 0.0%
Vapor Excess	-	0.1	11.7	(0.4)	(0.1)	7.4	-	-	6.8	-	-	-	-	25.5	-	25.5 100.0%
Total Consumption/Use Taxes																
	156.0	166.5	148.2	152.3	146.0	176.2	144.0	144.9	167.5	-	-	-	-	1,335.6	1,505.5	(169.9) -11.3%
Business Taxes:																
Corporate Franchise	7.0	(3.2)	110.1	114.0	11.7	185.7	40.7	24.5	171.0	-	-	-	-	591.5	733.7	(42.2) -5.8%
Insurance	52.2	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	-	-	-	-	41.0	41.0	(0.0) -0.0%
Public Utilities	7.2	(0.4)	38.6	4.4	0.4	43.3	1.2	0.3	42.1	-	-	-	-	137.1	183.7	(46.6) -25.4%
Bank	1.3	0.6	12.9	(0.2)	0.4	(3.1)	0.5	(0.2)	0.5	-	-	-	-	18.6	(2.0)	20.6 103.0%
Petroleum Business	30.3	17.6	38.8	38.7	38.7	43.2	39.6	36.5	36.4	-	-	-	-	318.8	393.4	(74.6) -19.0%
Total Business Taxes	98.0	71.7	219.8	174.2	55.5	273.5	86.1	61.2	274.9	-	-	-	-	1,250.9	1,478.9	(228.0) -15.5%
Total Taxes																
	254.0	114.2	369.0	326.5	201.5	443.8	230.2	207.5	477.4	-	-	-	-	2,621.1	2,965.7	(344.6) -11.6%
Miscellaneous Receipts:																
Abandoned Property	1.2	0.7	0.8	0.9	0.8	1.2	0.8	0.9	1.3	-	-	-	-	8.6	8.8	(0.2) -2.3%
Unclaimed Property	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Assessments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Business	46.7	62.4	82.6	71.5	41.0	65.6	90.3	11.7	90.9	-	-	-	-	562.7	591.5	(28.9) -4.9%
Medical Care	569.3	464.7	440.8	461.5	504.4	517.3	505.7	470.8	507.2	-	-	-	-	4,441.7	4,795.9	(354.2) -7.4%
Public Utilities	0.1	-	0.4	4.4	0.4	45.4	(10.1)	(1.6)	0.7	-	-	-	-	33.7	44.0	(4.3) -9.8%
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(0.3) -100.0%
Fees, Licenses and Permits:																
Audit Fees	-	0.1	0.2	0.7	0.7	0.7	0.1	0.3	0.1	-	-	-	-	2.2	2.6	(0.4) -15.4%
Business/Professional	48.2	70.4	86.5	40.8	36.3	94.8	46.1	40.7	73.3	-	-	-	-	537.1	539.5	(2.4) -0.4%
Civil	3.2	2.4	2.6	1.4	6.1	4.7	5.1	4.2	4.9	-	-	-	-	34.6	43.2	(8.6) -19.9%
Motor Vehicle	18.4	16.8	17.0	30.6	27.0	28.3	1.0	34.9	19.4	-	-	-	-	161.8	161.8	(0.0) -0.0%
Recreational/Consumer	19.8	35.0	35.0	31.8	43.0	38.3	59.6	55.8	65.8	-	-	-	-	203.2	21.1	(13.3) -84.4%
Fines, Penalties and Forfeitures	10.0	5.8	1.6	14.0	0.4	5.9	66.4	3.0	2.8	-	-	-	-	108.1	248.7	(154.4) -24.0%
Gaming:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-56.2%
Casino	-	-	29.8	20.2	29.8	8.0	38.4	19.0	19.2	-	-	-	-	62.4	216.6	(158.9) -69.9%
Video Lottery	157.0	142.1	173.8	202.2	195.9	189.3	169.3	171.0	215.1	-	-	-	-	1,625.2	1,830.8	(207.7) -11.3%
Interest Earnings	16.5	11.7	7.5	4.3	5.2	4.2	53.6	54.2	58.0	-	-	-	-	205.8	709.7	(503.9) -71.0%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Assessments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Insurance Fees	0.5	1.4	5.3	-	-	-	-	-	-	-	-	-	-	8.9	32.6	(23.7) -72.7%
Non Bond Related	8.9	0.3	-	4.2	1.8	-	0.4	-	-	-	-	-	-	7.2	7.2	- 0.0%
Receipts from Municipalities	3.3	2.2	3.7	3.7	1.6	4.7	3.4	1.6	5.1	-	-	-	-	15.6	31.8	(16.2) -50.9%
Rentals	(6.3)	(0.4)	(0.4)	1.9	(3.3)	34.6	11.3	7.4	7.4	-	-	-	-	(6.5)	41.8	(6.5) -15.6%
Revenues of State Departments:	-	-	-	-	-	-	-	-	-	-	-	-	-	71.4	218.7	(147.3) -67.4%
Administrative Recoveries	24.6	8.5	8.7	8.8	8.8	10.1	24.2	8.7	8.6	-	-	-	-	110.9	102.8	8.1 7.9%
Commissions	0.2	0.1	0.1	0.2	0.3	0.8	0.7	0.8	14.2	-	-	-	-	17.4	18.8	(1.4) -7.4%
Commissions - Asset Conversion	-	-	-	-	-	-	-	-	68.0	-	-	-	-	68.0	68.0	- 0.0%
Gifts, Grants and Donations	0.6	1.5	22.1	0.7	0.6	0.5	5.1	0.3	1.7	-	-	-	-	26.7	417.2%	-
Patient/Cient Care Reimbursement	483.0	305.7	305.8	198.8	167.9	150.1	221.2	165.9	314.0	-	-	-	-	1,624.5	1,624.5	- 0.0%
Rebates	78.0	13.6	14.1	17.7	9.5	12.7	10.5	11.2	12.7	-	-	-	-	105.8	123.4	(13.5) -11.0%
Restitution and Settlements	3.7	0.4	0.6	0.1	41.8	3.9	0.3	0.7	0.5	-	-	-	-	52.0	21.1	30.9 146.4%
Student Loans	6.1	14.4	3.2	6.9	3.6	4.0	3.6	4.0	3.6	-	-	-	-	54.5	42.1	(12.4) -22.8%
Other	(20.5)	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	-	-	-	-	11.0	11.0	- 0.0%
Tuition	-	0.6	0.8	0.5	0.5	0.6	0.8	0.8	0.8	-	-	-	-	6.4	6.4	- 0.0%
Sales	(67.5)	33.6	55.9	113.3	120.8	375.7	172.8	49.7	(32.8)	-	-	-	-	752.6	919.0	(166.4) -18.1%
Total Miscellaneous Receipts																
	1,361.9	1,361.9	1,361.9	1,361.9	1,361.9	1,361.9	1,361.9	1,361.9	1,361.9	-	-	-	-	12,313.6	12,313.6	(0.0) 0.0%
Federal Receipts																
	10,777.4	4,104.3	7,359.3	5,214.1	4,804.5	9,934.4	7,441.5	4,932.8	7,300.6	-	-	-	-	60,581.9	48,193.0	12,389.9 25.7%
Total Receipts	12,393.3	5,362.2	8,765.4	6,765.4	5,808.8	12,177.7	9,314.1	5,413.9	9,251.5	-	-	-	-	75,518.6	64,915.9	10,602.7 16.3%

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT G

	2020	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021	JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	2020	2019	9 Months Ended December 31 \$ Increase/ (Decrease)	% Increase/ Decrease
<b>DISBURSEMENTS:</b>																		
Local Assistance Grants:																		
Education	383.0	102.6	847.9	234.9	213.2	2,584.4	279.3	347.3	252.9					-	5,245.5	6,003.9	(758.4)	-12.6%
Environment and Recreation	-	0.5	-	0.3	0.1	0.3	0.8	0.2	0.1					-	2.3	2.4	(0.1)	-4.2%
Health	11.3	6.1	8.5	19.0	39.4	3,666.8	169.6	94.6	114.3					-	4,329.6	209.4	4,121.2	1,977.5%
Public Health:																		
Medicaid	6,180.9	3,816.0	3,615.6	4,136.8	3,861.0	5,390.1	3,286.6	3,770.7	5,076.7					-	38,134.4	34,652.6	3,481.8	10.0%
Other Public Health	509.6	533.0	709.7	556.1	552.9	800.5	570.7	551.3	600.7					-	5,439.5	5,439.7	0.8	0.0%
Public Safety	92.4	62.2	159.2	261.6	62.2	136.2	627.1	19.1	133.8					-	1,653.8	1,040.3	613.5	49.4%
Transportation	1,543.6	25.9	258.6	258.6	258.6	3,654.4	3,654.4	187.7	187.7					-	2,553.5	3,654.4	(1,090.9)	-29.6%
Support and Regulate Business	0.3	0.7	6.6	1.0	8.6	5.3	1.7	1.7	18.7					-	43.8	52.0	(8.2)	-15.6%
Transportation	65.5	44.7	22.6	709.1	350.2	246.8	259.5	438.5	764.5					-	2,900.4	3,226.2	(325.8)	-10.1%
<b>Total Local Assistance Grants</b>	<b>6,377.8</b>	<b>4,581.7</b>	<b>5,623.6</b>	<b>6,120.4</b>	<b>5,341.5</b>	<b>13,892.8</b>	<b>5,578.4</b>	<b>5,404.9</b>	<b>7,156.9</b>					-	<b>60,181.1</b>	<b>53,857.1</b>	<b>6,324.0</b>	<b>11.7%</b>
Departmental Operations:																		
Police	676.0	444.6	551.0	540.0	390.7	591.2	591.2	471.9	1,794.0					-	6,974.2	4,419.5	2,554.7	57.8%
Non-Resident Services	270.9	220.9	327.3	1,078.0	389.6	468.1	437.0	297.0	409.8					-	3,908.6	3,109.6	799.0	25.9%
General State Charges	75.0	64.5	109.6	136.0	142.9	139.8	124.3	158.0	212.2					-	1,162.3	995.7	166.6	16.7%
Debt Service, Including Payments on	-	-	-	-	-	-	-	-	102.2					-	102.2	-	102.2	100.0%
Financing Agreements	-	-	-	-	-	-	-	-	-					-	2.3	-	2.3	100.0%
Capital Projects	-	-	-	-	-	-	-	-	-					-	71,439.7	62,377.9	9,061.8	14.5%
<b>Total Disbursements</b>	<b>7,399.6</b>	<b>5,321.7</b>	<b>6,612.3</b>	<b>7,874.4</b>	<b>6,258.0</b>	<b>15,304.9</b>	<b>6,660.9</b>	<b>6,334.8</b>	<b>9,664.1</b>					-	<b>4,888.9</b>	<b>2,541.0</b>	<b>2,347.9</b>	<b>60.9%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>4,993.7</b>	<b>4.5</b>	<b>2,455.4</b>	<b>(1,189.0)</b>	<b>(448.2)</b>	<b>(3,127.2)</b>	<b>2,653.2</b>	<b>(928.9)</b>	<b>(412.0)</b>					-	<b>1,844.3</b>	<b>1,993.1</b>	<b>(148.8)</b>	<b>-7.5%</b>
<b>OTHER FINANCING SOURCES (USES):</b>																		
Transfers from Other Funds	222.7	41.5	897.4	135.6	116.0	206.1	505.9	131.0	138.6					(500.5)	1,844.3	1,993.1	(148.8)	-7.5%
Transfers to Other Funds	(304.5)	(129.9)	(20.3)	(266.6)	(30.3)	(438.8)	(485.6)	(133.0)	(208.3)					550.5	(1,513.7)	(1,513.7)	(47.0)	-3.1%
<b>Total Other Financing Sources (Uses)</b>	<b>(81.8)</b>	<b>(88.3)</b>	<b>877.1</b>	<b>(131.0)</b>	<b>85.7</b>	<b>(232.7)</b>	<b>20.3</b>	<b>(2.0)</b>	<b>(69.7)</b>					-	<b>377.6</b>	<b>479.4</b>	<b>(101.8)</b>	<b>-21.2%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>4,911.9</b>	<b>(83.8)</b>	<b>3,322.5</b>	<b>(1,240.0)</b>	<b>(362.5)</b>	<b>(3,359.9)</b>	<b>2,673.5</b>	<b>(932.9)</b>	<b>(482.3)</b>					-	<b>4,466.5</b>	<b>3,020.4</b>	<b>1,446.1</b>	<b>47.9%</b>
<b>Ending Fund Balance</b>	<b>\$ 11,224.0</b>	<b>\$ 11,140.2</b>	<b>\$ 14,472.7</b>	<b>\$ 13,232.7</b>	<b>\$ 12,870.2</b>	<b>\$ 9,510.3</b>	<b>\$ 12,183.8</b>	<b>\$ 11,266.9</b>	<b>\$ 10,776.6</b>					-	<b>\$ 10,778.6</b>	<b>\$ 6,862.8</b>	<b>\$ 3,915.8</b>	<b>57.1%</b>

(\*) Intra-Fund transfer eliminations represent transfers between Special Revenue-State and Federal Funds.

## EXHIBIT G

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## EXHIBIT G

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STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT G

	9 Months Ended December 31												% Increase/ Decrease
	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Beginning Fund Balance	911.4	5,527.8	5,428.8	7,226.3	6,552.8	6,121.4	4,706.4	6,583.7	6,049.4	-	-	-	173.0%
<b>RECEIPTS:</b>													
Miscellaneous Receipts:													
Abandoned Property:													
Assessments:													
Business:	4.0	40.6	0.2	1.7	7.6	0.1	1.4	5.7	0.1	-	-	-	0.0%
Medical Care	-	-	-	-	-	-	-	-	-	-	-	-	-7.5%
Public Utilities	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fees, Licenses and Permits:	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Business/Professional	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Civil	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Criminal	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Motor Vehicle	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Recreational/Consumer	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fines, Penalties and Forfeitures	0.3	0.2	0.2	0.2	0.2	0.3	0.1	0.2	0.3	0.3	-	-	0.0%
Interest Earnings	3.0	3.9	1.4	0.9	1.2	0.8	0.8	0.8	0.7	0.7	-	-	-57.4%
Receipts from Public Authorities:													
Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-36.6%
Cost Recovery Assessments	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non Bond Related	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Receipts from Municipalities	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rentals	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Revenues of State Departments:	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Commissions	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Gifts, Grants and Donations	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Patient/Client Care Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rebates	7.7	8.7	7.5	7.5	7.4	7.7	7.5	7.4	7.9	7.9	74.5	(5.2)	-7.0%
Restitution and Settlements	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Student Loans	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
All Other	0.3	0.3	-	0.1	0.6	(0.1)	0.1	-	1.3	-	4.7	(2.1)	-44.7%
Sales	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Tuition	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
<b>Total Miscellaneous Receipts</b>	<b>15.3</b>	<b>53.7</b>	<b>9.3</b>	<b>10.4</b>	<b>17.0</b>	<b>8.8</b>	<b>9.9</b>	<b>14.1</b>	<b>10.3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-13.3%</b>
Federal Receipts	10,777.4	4,104.3	7,348.2	5,218.2	4,402.0	9,909.0	7,428.6	4,086.4	7,300.6	-	-	-	25.7%
<b>Total Receipts</b>	<b>10,792.7</b>	<b>4,158.0</b>	<b>7,357.5</b>	<b>5,228.6</b>	<b>4,419.0</b>	<b>9,917.8</b>	<b>7,438.5</b>	<b>4,100.5</b>	<b>7,310.9</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>25.6%</b>

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT G

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	9 Months Ended December 31			% Increase/ Decrease
													2020	2019	\$ Increase/ (Decrease)	
<b>DISBURSEMENTS:</b>																
Local Assistance Grants:																
Education	392.9	67.6	550.9	234.6	213.3	284.1	130.3	199.2	78.2				2,151.1	2,659.7	(508.6)	-19.1%
Environment and Recreation	-	0.2	-	0.1	(0.1)	-	0.1	-	0.1				0.5	0.9	(0.4)	-44.4%
General Government	2.0	2.2	2.2	11.0	6.4	3,856.0	154.3	85.3	98.6				4,218.0	45.5	4,172.5	9,170.3%
Public Health:																
Medicaid	4,692.6	3,341.8	3,585.1	3,313.7	3,436.3	4,899.1	2,899.6	3,308.9	4,586.6				33,893.7	30,217.9	3,745.8	12.4%
Other Public Health	490.0	507.5	642.3	503.9	507.6	614.7	515.3	488.0	555.7				4,825.0	4,780.2	44.8	0.9%
Public Safety	74.4	52.5	155.0	247.4	40.7	115.7	617.1	28.5	113.4				1,445.7	902.1	543.6	60.3%
Public Welfare	134.6	20.7	253.6	201.0	253.9	950.3	384.1	164.5	162.0				2,528.5	3,228.5	(699.9)	-21.6%
Statewide Regulatory Business	18.1	3.3	16.1	16.1	16.1	16.1	16.1	16.1	16.1				161.2	161.2	-	0.0%
Transportation	3.9	3.0	4.1	7.3	5.0	5.7	5.0	6.3	7.5				47.8	41.4	6.4	15.5%
<b>Total Local Assistance Grants</b>	<b>5,730.9</b>	<b>4,000.8</b>	<b>5,193.3</b>	<b>4,519.3</b>	<b>4,465.2</b>	<b>10,705.5</b>	<b>4,676.8</b>	<b>4,291.7</b>	<b>5,602.3</b>	-	-	-	<b>49,187.9</b>	<b>41,884.1</b>	<b>7,303.8</b>	<b>17.4%</b>
Departmental Operations:																
Personal Service	74.7	51.0	160.9	164.8	63.8	84.0	131.8	113.7	1,396.5				2,241.2	488.5	1,752.7	358.8%
Non-Personal Service	40.8	44.1	168.6	885.3	221.4	228.0	188.6	75.7	205.8				2,056.3	957.7	1,100.6	114.9%
General State Charges	22.7	24.7	38.9	83.7	70.7	23.5	77.7	28.3	112.4				483.6	241.8	241.8	100.0%
Debt Service, Including Payments on Financing Agreements	-	-	-	-	-	-	-	-	102.2				102.2	-	102.2	100.0%
Capital Projects	-	-	-	-	2.3	-	-	-	-				2.3	-	2.3	100.0%
<b>Total Disbursements</b>	<b>5,889.1</b>	<b>4,120.6</b>	<b>5,563.7</b>	<b>5,653.2</b>	<b>4,823.4</b>	<b>11,041.0</b>	<b>5,074.9</b>	<b>4,510.4</b>	<b>7,419.2</b>	-	-	-	<b>54,075.5</b>	<b>43,572.1</b>	<b>10,503.4</b>	<b>24.1%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>4,923.6</b>	<b>37.4</b>	<b>1,793.8</b>	<b>(424.6)</b>	<b>(404.4)</b>	<b>(1,123.2)</b>	<b>2,363.6</b>	<b>(408.9)</b>	<b>(108.3)</b>	-	-	-	<b>6,648.0</b>	<b>4,773.9</b>	<b>1,874.1</b>	<b>39.3%</b>
<b>OTHER FINANCING SOURCES (USES):</b>																
Transfers from Other Funds	-	-	-	-	-	-	-	-	-				-	-	-	0.0%
Transfers to Other Funds	(307.2)	(135.4)	2.7	(248.9)	(27.0)	(291.8)	(480.3)	(130.4)	(185.8)				(1,784.1)	(1,521.1)	263.0	17.3%
<b>Total Other Financing Sources (Uses)</b>	<b>(307.2)</b>	<b>(135.4)</b>	<b>2.7</b>	<b>(248.9)</b>	<b>(27.0)</b>	<b>(291.8)</b>	<b>(480.3)</b>	<b>(130.4)</b>	<b>(185.8)</b>	-	-	-	<b>(1,784.1)</b>	<b>(1,521.1)</b>	<b>263.0</b>	<b>17.3%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>4,616.4</b>	<b>(98.0)</b>	<b>1,796.5</b>	<b>(673.5)</b>	<b>(431.4)</b>	<b>(1,415.0)</b>	<b>1,883.3</b>	<b>(540.3)</b>	<b>(274.1)</b>	-	-	-	<b>4,863.9</b>	<b>3,252.8</b>	<b>1,611.1</b>	<b>49.5%</b>
<b>Ending Fund Balance</b>	<b>\$ 5,527.8</b>	<b>\$ 5,428.8</b>	<b>\$ 7,226.3</b>	<b>\$ 6,552.8</b>	<b>\$ 6,121.4</b>	<b>\$ 4,706.4</b>	<b>\$ 6,589.7</b>	<b>\$ 6,049.4</b>	<b>\$ 5,775.3</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,775.3</b>	<b>\$ 2,004.4</b>	<b>\$ 3,770.9</b>	<b>188.1%</b>

## EXHIBIT H

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STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT I

	2020		2021		2022		2023		2024		2025		2026		2027		2028		2029		2030		2031		% Increase/ Decrease	
	APRIL		MAY		JUNE		JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER		JANUARY		FEBRUARY		MARCH			Intra-Fund Transfer Eliminations (*)
	\$	(1,034.9)	\$	(1,155.0)	\$	(1,322.2)	\$	(1,207.9)	\$	(930.7)	\$	(1,080.2)	\$	(1,488.9)	\$	(1,423.1)	\$	(1,464.9)	\$	(1,034.9)	\$	(1,137.9)	\$	(1,030.0)		
Beginning Fund Balance																										
RECEIPTS:																										
Taxes:																										
Consumption/Use Taxes:																										
Alcohol	0.6	0.1	10.1	-	-	-	15.6	0.1	-	15.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Motor Fuel	23.8	16.7	24.9	31.2	33.4	32.7	31.3	31.1	33.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Highway Use	11.6	8.8	12.4	12.4	10.2	12.7	10.6	11.4	12.6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Consumption/Use Taxes	36.0	25.6	47.4	43.6	43.6	61.0	42.0	42.5	61.6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Business Taxes:																										
Corporation Franchise	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Corporation and Utilities	0.1	(1.5)	0.6	3.6	0.1	2.2	0.7	-	2.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Petroleum Business	38.0	22.2	48.0	49.1	48.3	55.2	49.9	46.3	44.8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Business Taxes	38.1	20.7	48.6	52.7	48.4	57.4	50.6	46.3	47.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other Taxes:																										
Real Estate Transfer	-	-	11.9	11.9	11.9	11.9	12.0	11.9	11.9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Other Taxes	-	-	11.9	11.9	11.9	11.9	12.0	11.9	11.9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Taxes	74.1	46.3	107.9	108.2	103.9	130.3	104.6	100.7	120.6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Miscellaneous Receipts:																										
Abandoned Property:																										
Bottle Bill	-	-	-	23.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Assessments:																										
Business	7.9	3.6	5.4	7.0	7.6	7.1	7.3	7.3	6.5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Fees, Licenses and Permits:																										
Professional	1.8	2.1	1.6	1.3	9.3	3.1	2.5	2.3	0.6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Civil	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Motor Vehicle	52.2	33.2	43.1	60.6	63.4	57.4	60.7	60.3	59.6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Recreational/Consumer	-	-	0.5	-	11.0	7.7	0.1	-	0.8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Fines, Penalties and Forfeitures	2.0	1.9	2.0	1.2	3.2	2.2	1.9	1.4	1.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Interest Earnings	0.7	0.5	0.1	-	0.1	0.1	-	0.1	0.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Receipts from Public Authorities:																										
Bond Proceeds	1,122.1	19.1	342.4	269.9	32.4	384.7	885.8	1.0	981.9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Non Bond Related	0.1	-	0.5	0.1	0.5	0.1	0.4	-	0.4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Receipts from Municipalities	-	-	0.1	-	0.3	-	0.1	-	0.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Rentals	0.5	1.1	2.1	2.2	3.8	1.2	0.8	0.9	0.9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Revenues:																										
State Departments:																										
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Gifts, Grants and Donations	-	0.7	5.8	-	1.3	1.6	0.8	0.4	1.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Rebates	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Restitution and Settlements	3.1	0.2	-	0.1	0.9	1.4	3.3	0.4	0.8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
All Other	0.3	1.8	12.0	0.2	0.7	13.7	4.7	1.3	0.8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Miscellaneous Receipts	1,190.7	64.2	415.6	365.6	134.6	480.4	978.1	75.4	1,955.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Federal Receipts	85.7	102.7	167.9	209.1	188.7	177.2	167.7	221.9	228.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Receipts	1,350.5	213.2	691.4	682.9	425.2	787.9	1,250.7	398.0	1,404.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	



STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT I

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	9 Months Ended December 31			% Increase/ Decrease
														2020	2019	\$ Increase/ (Decrease)	
<b>DISBURSEMENTS:</b>																	
Local Assistance Grants:																	
Capital Construction	12.0	-	4.9	1.0	1.0	1.4	20.3	45.6	4.2	-	-	-	-	90.4	145.3	(54.9)	-37.8%
Environment and Recreation	4.4	3.2	14.0	12.6	20.6	15.3	6.9	8.8	20.4	-	-	-	-	107.2	147.3	(40.1)	-27.2%
General Government	30.4	10.9	41.5	36.0	69.0	18.7	90.4	55.6	51.2	-	-	-	-	403.7	705.9	(302.2)	-42.8%
Public Health:																	
Medicaid	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other Public Health	28.0	56.2	30.9	38.7	76.1	25.7	50.9	41.5	45.5	-	-	-	-	396.5	358.3	38.2	10.7%
Public Safety	-	-	3.8	0.9	1.1	0.7	0.3	34.0	1.3	-	-	-	-	42.1	39.4	2.7	6.9%
Public Welfare	-	33.8	73.7	71.7	53.1	110.4	24.6	7.8	96.3	-	-	-	-	471.4	254.5	216.9	85.2%
Support and Regulate Business	43.2	7.7	24.8	20.9	71.6	11.4	53.5	28.0	133.8	-	-	-	-	394.9	699.7	(304.8)	-43.6%
Transportation	28.4	46.2	50.0	91.9	146.7	395.3	483.6	503.9	220.4	-	-	-	-	1,336.4	1,357.2	(20.8)	-1.5%
Total Local Assistance Grants	143.4	186.0	243.8	273.7	433.2	352.8	730.3	726.2	573.1	-	-	-	-	3,242.8	3,107.8	135.0	3.6%
Debt Repayments:																	
General Obligations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	509.8	406.0	881.8	641.4	665.4	706.7	533.6	609.8	630.5	-	-	-	-	5,385.0	5,425.0	(40.0)	-0.7%
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Disbursements	653.2	566.0	925.4	915.1	1,104.6	1,259.6	1,264.1	1,336.0	1,203.6	-	-	-	-	9,227.6	9,132.6	95.0	1.0%
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>897.3</b>	<b>(352.8)</b>	<b>(234.0)</b>	<b>(232.2)</b>	<b>(679.4)</b>	<b>(471.7)</b>	<b>(13.4)</b>	<b>(938.0)</b>	<b>200.4</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(2,023.8)</b>	<b>(2,443.7)</b>	<b>619.9</b>	<b>23.4%</b>
<b>OTHER FINANCING SOURCES (USES):</b>																	
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	(805.1)	198.0	360.6	523.4	566.3	250.0	91.3	908.3	124.1	-	-	-	-	2,716.9	3,348.9	(1,132.0)	-33.8%
Transfers to Other Funds	(12.3)	(12.4)	(12.3)	(14.0)	(36.4)	(187.0)	(12.1)	(12.1)	(54.3)	-	-	-	-	(352.9)	(684.6)	(341.7)	-49.2%
Total Other Financing Sources (Uses)	<b>(817.4)</b>	<b>185.6</b>	<b>348.3</b>	<b>509.4</b>	<b>529.9</b>	<b>63.0</b>	<b>79.2</b>	<b>896.2</b>	<b>68.8</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,864.0</b>	<b>2,654.3</b>	<b>(790.3)</b>	<b>-29.8%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(20.1)</b>	<b>(167.2)</b>	<b>114.3</b>	<b>277.2</b>	<b>(149.5)</b>	<b>(408.7)</b>	<b>65.8</b>	<b>(41.8)</b>	<b>270.2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(158.8)</b>	<b>10.6</b>	<b>(170.4)</b>	<b>-1,607.5%</b>
<b>Ending Fund Balance</b>	<b>\$ (1,155.0)</b>	<b>\$ (1,322.2)</b>	<b>\$ (1,207.9)</b>	<b>\$ (930.7)</b>	<b>\$ (1,080.2)</b>	<b>\$ (1,488.9)</b>	<b>\$ (1,423.1)</b>	<b>\$ (1,464.9)</b>	<b>\$ (1,194.7)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (1,194.7)</b>	<b>\$ (1,127.3)</b>	<b>\$ (67.4)</b>	<b>-6.0%</b>

(\*) Intra-Fund transfer eliminations represent transfers from Capital Projects-State and Federal Funds.

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - STATE  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT I

	9 Months Ended December 31												% Increase/ Decrease
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	
Beginning Fund Balance	\$ (472.2)	\$ (598.4)	\$ (754.3)	\$ (629.3)	\$ (389.5)	\$ (564.6)	\$ (935.6)	\$ (883.5)	\$ (1,005.9)	\$ (472.2)	\$ (633.2)	\$ 161.0	25.4%
<b>RECEIPTS:</b>													
<b>Taxes:</b>													
Consumption/Use Taxes													
Auto Rental	0.6	0.1	10.1	-	-	15.6	0.1	-	15.3	41.8	70.6	(28.8)	-40.8%
Motor Fuel	23.8	16.7	24.9	31.2	33.4	32.7	31.3	31.1	32.6	258.8	311.7	(52.9)	-17.0%
Highway Use	11.6	8.8	12.4	12.4	10.2	12.7	10.6	11.4	12.6	102.7	109.8	(7.1)	-6.5%
Total Consumption/Use Taxes	36.0	25.6	47.4	43.6	43.6	61.0	42.0	42.5	61.6	403.3	492.1	(88.8)	-18.0%
Business Taxes													
Corporation Franchise	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Corporation and Utilities	0.1	(1.5)	0.6	3.6	0.1	2.2	0.7	-	2.3	8.1	11.1	(3.0)	-27.0%
Petroleum Business	38.0	22.2	48.0	49.1	48.3	55.2	49.9	46.3	44.8	401.8	503.7	(101.9)	-20.2%
Total Business Taxes	38.1	20.7	48.6	52.7	48.4	57.4	50.6	46.3	47.1	409.9	514.8	(104.9)	-20.4%
Other Taxes													
Real Estate Transfer	-	-	11.9	11.9	11.9	11.9	12.0	11.9	11.9	83.4	83.4	-	0.0%
Total Other Taxes	-	-	11.9	11.9	11.9	11.9	12.0	11.9	11.9	83.4	83.4	-	0.0%
Total Taxes	74.1	46.3	107.9	108.2	103.9	130.3	104.6	100.7	120.6	896.6	1,090.3	(193.7)	-17.8%
<b>Miscellaneous Receipts:</b>													
Abandoned Property	-	-	-	23.0	-	-	-	-	-	23.0	23.0	-	0.0%
Bottle Bill	-	-	-	-	-	-	-	-	-	-	-	-	-
Assessments:	7.9	3.6	5.4	7.0	7.6	7.1	7.3	7.3	6.5	59.7	77.1	(17.4)	-22.6%
Fees, Licenses and Permits:													
Business	1.8	2.1	1.6	1.3	9.3	3.1	2.5	2.3	0.6	24.6	28.4	(3.8)	-13.4%
Business/Professional	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Civil	52.2	33.2	43.1	60.6	63.4	57.4	60.7	60.3	59.6	490.5	554.7	(64.2)	-11.6%
Motor Vehicle	-	-	0.5	-	11.0	7.7	0.1	-	0.8	20.1	14.9	5.2	34.9%
Recreational/Consumer	2.0	1.9	2.0	1.2	3.2	2.2	1.9	1.4	1.1	16.9	20.6	(3.7)	-18.0%
Fines, Penalties and Forfeitures	0.7	0.5	0.1	-	0.1	0.1	-	0.1	0.1	1.7	8.9	(7.2)	-80.9%
Interest Earnings	-	-	-	-	-	-	-	-	-	-	-	-	-
Receipts from Public Authorities:	1,122.1	19.1	342.4	269.9	32.4	384.7	895.8	1.0	981.9	4,049.3	3,023.7	1,025.6	33.9%
Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non Bond Related	0.1	-	0.5	0.1	0.5	0.1	0.4	-	0.4	2.1	50.0	(47.9)	-95.8%
Receipts from Municipalities	-	-	0.1	-	0.3	-	0.1	-	-	0.5	1.8	(1.3)	-72.2%
Rentals	0.4	1.1	2.0	2.2	3.7	1.1	0.7	0.8	0.8	12.8	6.4	6.4	100.0%
Revenues of State Departments:													
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Gifts, Grants and Donations	-	0.7	5.8	-	1.3	1.6	0.8	0.4	1.7	12.3	20.0	(7.7)	-38.5%
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	(0.9)	0.9	100.0%
Rebates	-	-	-	-	-	-	-	-	-	-	(0.2)	(0.2)	-100.0%
Restitution and Settlements	3.1	0.2	-	0.1	0.9	1.4	3.3	0.4	0.8	10.2	10.8	(0.6)	-5.6%
All Other	0.3	1.8	12.0	0.2	0.7	13.7	4.7	1.3	0.8	35.5	47.7	(12.2)	-25.6%
Sales	-	-	-	-	-	0.1	-	-	-	0.1	4.6	(4.5)	-97.8%
Total Miscellaneous Receipts	1,190.6	64.2	415.5	365.6	134.5	480.2	978.3	75.3	1,055.1	4,759.3	3,891.9	867.4	22.3%
Federal Receipts	-	-	-	-	-	2.1	-	-	-	2.1	2.3	(0.2)	-8.7%
Total Receipts	1,264.7	110.5	523.4	473.8	238.4	612.6	1,082.9	176.0	1,175.7	5,658.0	4,984.5	673.5	13.5%

## EXHIBIT I

	2020	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021	2020	2019	\$ Increase/ (Decrease)	% Increase/ Decrease
	APRIL									JANUARY	FEBRUARY	MARCH		
DISBURSEMENTS:														
Local Assistance Grants:														
Education	12.0	-	4.9	1.0	1.0	1.4	20.3	45.6	4.2		90.4	145.3	(54.9)	-37.6%
Environment and Recreation	4.4	3.2	14.0	12.6	20.6	15.3	6.9	9.8	20.4	(40.1)	107.2	147.3	(40.1)	-27.2%
General Government	30.4	10.9	41.5	36.0	69.0	18.7	90.4	55.6	51.2		403.7	705.9	(302.2)	-42.8%
Public Health:														
Medical	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other Public Health	29.0	58.2	30.9	37.5	76.1	25.1	50.9	41.5	45.2		394.4	319.2	75.2	23.6%
Public Safety	-	-	0.7	0.9	1.1	0.3	0.3	34.0	0.4		37.7	10.8	26.9	249.1%
Public Welfare	-	33.8	73.7	71.7	53.1	110.4	24.6	7.8	96.3		471.4	254.5	216.9	85.2%
Support and Regulate Business	43.2	7.7	24.8	20.9	71.6	11.4	53.5	28.0	133.8		394.9	699.7	(304.8)	-43.6%
Transportation	2.4	4.7	14.4	50.4	104.0	316.6	432.9	456.5	155.5		1,537.4	981.3	556.1	56.7%
Total Local Assistance Grants	121.4	118.5	204.9	231.0	396.5	495.2	679.8	678.8	507.0	-	3,437.1	3,264.0	173.1	5.3%
Departmental Operations:														
Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	452.1	333.5	541.8	512.4	546.9	547.4	430.2	515.8	575.6		4,455.7	4,497.3	(41.6)	-0.9%
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	573.5	452.0	746.7	743.4	943.4	1,046.6	1,110.0	1,194.6	1,082.6	-	7,892.8	7,761.3	131.5	1.7%
Excess (Deficiency) of Receipts over Disbursements														
	691.2	(341.5)	(223.3)	(269.6)	(705.0)	(434.0)	(27.1)	(1,018.6)	93.1	-	(2,234.8)	(2,776.8)	542.0	19.5%
OTHER FINANCING SOURCES (USES):														
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	(805.1)	198.0	360.6	523.4	566.3	250.0	91.3	908.3	124.1		2,216.9	3,524.8	(1,307.9)	-37.1%
Transfers to Other Funds	(12.3)	(12.4)	(12.3)	(14.0)	(36.4)	(187.0)	(12.1)	(12.1)	(54.3)		(352.9)	(694.5)	(341.6)	-49.2%
Total Other Financing Sources (Uses)	(817.4)	185.6	348.3	509.4	529.9	63.0	79.2	896.2	69.8	-	1,964.0	2,830.3	(966.3)	-34.1%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses														
	(126.2)	(155.9)	125.0	239.8	(175.1)	(371.0)	52.1	(122.4)	162.9	-	(370.8)	53.5	(424.3)	-793.1%
Ending Fund Balance	\$ (598.4)	\$ (754.3)	\$ (629.3)	\$ (389.5)	\$ (564.6)	\$ (935.6)	\$ (883.5)	\$ (1,005.9)	\$ (843.0)	\$ -	\$ (843.0)	\$ (579.7)	\$ (263.3)	-45.4%

## EXHIBIT I

	2020	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021		9 Months Ended December 31		% Increase/Decrease	
	APRIL									JANUARY	FEBRUARY	MARCH			
Beginning Fund Balance	\$ (562.7)	\$ (556.6)	\$ (567.9)	\$ (578.6)	\$ (541.2)	\$ (515.6)	\$ (553.3)	\$ (539.6)	\$ (459.0)				\$ (504.7)	\$ (58.0)	-11.5%
RECEIPTS:															
Miscellaneous Receipts:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Abandoned Property:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Bottle Bill Assessments:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Businesses:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fees, Licenses and Permits:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Business/Professional:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Civil:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Motor Vehicle:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Recreational/Consumer:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fines, Penalties and Forfeitures:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Interest Earnings:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Receipts from Public Authorities:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Bond Proceeds:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Insurance Fees:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non Bond Related:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Receipts from Municipalities:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rentals:	0.1	-	0.1	-	0.1	0.1	0.1	0.1	0.1	-	-	-	0.6	0.1	16.7%
Revenues of State Departments:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Administrative Recoveries:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Gifts, Grants and Donations:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Indirect Cost Recoveries:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Restitution and Settlements:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
All Other:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Sales:	-	-	-	-	-	0.1	-	-	-	-	-	-	-	-	0.1
Total Miscellaneous Receipts	0.1	-	0.1	-	0.1	0.1	0.1	0.1	0.1	-	-	-	0.6	0.2	100.0%
Federal Receipts	85.7	102.7	167.9	209.1	186.7	175.1	167.7	221.9	228.2	-	-	-	1,503.8	41.2	2.7%
Total Receipts	85.8	102.7	168.0	209.1	186.8	175.3	167.8	222.0	228.3	-	-	-	1,504.4	41.4	2.8%
DISBURSEMENTS:															
Local Assistance Grants:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Education:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Environment and Recreation:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General Government:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Public Health:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Medicaid:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other Public Health:	-	-	-	1.2	-	0.6	-	-	0.3	-	-	-	39.1	(37.0)	-94.6%
Public Safety:	-	-	3.1	-	-	0.4	-	-	0.9	-	-	-	28.6	(24.2)	-84.6%
Public Welfare:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Support and Regulate Business:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transportation:	22.0	41.5	35.6	41.5	42.7	52.7	50.7	47.4	64.9	-	-	-	375.9	23.1	6.1%
Total Local Assistance Grants	22.0	41.5	38.7	42.7	42.7	53.7	50.7	47.4	66.1	-	-	-	443.6	(38.1)	-8.6%
Departmental Operations:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Personal Service:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges:	57.7	72.5	140.0	129.0	118.3	159.3	103.4	94.0	54.9	-	-	-	927.7	1.6	0.2%
Capital Projects:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Disbursements	79.7	114.0	178.7	171.7	161.2	213.0	154.1	141.4	121.0	-	-	-	1,371.3	(36.5)	-2.7%
Excess (Deficiency) of Receipts over Disbursements	6.1	(11.3)	(10.7)	37.4	25.6	(37.7)	13.7	80.6	107.3	-	-	-	133.1	77.9	58.5%
OTHER FINANCING SOURCES (USES):															
Transfers from Other Funds:	-	-	-	-	-	-	-	-	-	-	-	-	(176.0)	-	0.0%
Transfers to Other Funds:	-	-	-	-	-	-	-	-	-	-	-	-	(176.0)	(176.0)	-100.0%
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	6.1	(11.3)	(10.7)	37.4	25.6	(37.7)	13.7	80.6	107.3	-	-	-	(42.9)	253.9	591.8%
Ending Fund Balance	\$ (556.6)	\$ (567.9)	\$ (578.6)	\$ (541.2)	\$ (515.6)	\$ (553.3)	\$ (539.6)	\$ (459.0)	\$ (351.7)	\$ -	\$ -	\$ -	\$ (547.6)	\$ -	35.8%



STATE OF NEW YORK  
ENTERPRISE FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT J

	9 Months Ended December 31												% Increase/ Decrease
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	
	\$ 29.7	\$ 45.9	\$ 35.9	\$ 35.3	\$ 40.4	\$ 42.2	\$ 42.1	\$ 41.3	\$ 41.0	2020 \$ 29.7	2019 \$ 26.6	\$ Increase/ (Decrease)	\$ 3.1 11.7%
Beginning Fund Balance													
RECEIPTS:													
Miscellaneous Receipts	4.2	4.8	6.4	6.9	7.7	7.0	4.4	3.9	3.1	48.4	65.6	(17.2)	-26.2%
Federal Receipts	2,584.0	5,963.3	10,834.5	8,040.5	3,020.9	2,491.7	2,489.5	2,484.9	2,184.6	41,032.9	13.7	41,019.2	289,410.2%
Unemployment Taxes	1,823.9	2,261.7	2,631.7	1,890.9	1,831.3	1,366.4	613.4	544.2	561.3	13,644.8	1,477.0	12,167.8	823.6%
Total Receipts	4,412.1	8,259.8	13,472.6	10,937.3	4,859.9	3,895.1	3,107.3	3,033.0	2,749.0	54,726.1	1,556.3	53,169.8	3,416.4%
DISBURSEMENTS:													
Departmental Operations:													
Personal Service	1.4	0.9	1.1	1.1	1.3	1.7	1.1	0.9	0.9	10.4	14.3	(3.9)	-27.3%
Non-Personal Service	3.6	4.9	5.4	4.9	4.6	4.4	4.1	3.9	4.6	40.4	46.3	(6.9)	-12.7%
General State Charges	0.2	0.1	0.2	0.1	0.1	0.2	0.1	0.2	0.2	1.3	1.3	0.1	7.7%
Unemployment Benefits	4,390.7	8,263.9	13,469.5	10,926.1	4,852.1	3,883.9	3,102.8	3,028.3	2,745.9	54,688.2	1,492.1	53,176.1	3,563.6%
Total Disbursements	4,395.9	8,269.8	13,476.2	10,932.2	4,858.1	3,895.2	3,108.1	3,033.3	2,751.6	54,720.4	1,554.0	53,166.4	3,421.3%
Excess (Deficiency) of Receipts over Disbursements	16.2	(10.0)	(3.6)	5.1	1.8	(0.1)	(0.8)	(0.3)	(2.6)	5.7	2.3	3.4	147.8%
OTHER FINANCING SOURCES (USES):													
Transfers from Other Funds	-	-	3.0	-	-	-	-	-	-	3.0	-	3.0	100.0%
Transfers to Other Funds	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Other Financing Sources (Uses)	-	-	3.0	-	-	-	-	-	-	3.0	-	3.0	100.0%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	16.2	(10.0)	(0.6)	5.1	1.8	(0.1)	(0.8)	(0.3)	(2.6)	8.7	2.3	6.4	278.3%
Ending Fund Balance	\$ 45.9	\$ 35.9	\$ 35.3	\$ 40.4	\$ 42.2	\$ 42.1	\$ 41.3	\$ 41.0	\$ 38.4	\$ 38.4	\$ 28.9	\$ 9.5	32.2%

**EXHIBIT K**

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## EXHIBIT L

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STATE OF NEW YORK  
PRIVATE PURPOSE TRUST FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT M

	2020												2021		9 Months Ended December 31		Increase/Decrease	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2020	2021	2020	2021	(Decrease)	% Increase/Decrease
	\$ 14.3	\$ 14.4	\$ 14.5	\$ 14.6	\$ 14.7	\$ 14.1	\$ 14.1	\$ 14.2	\$ 14.2	\$ 14.2			\$ 14.3	\$ 13.2	\$ 14.3	\$ 14.1	\$ 1.1	8.3%
Beginning Fund Balance																		
RECEIPTS:																		
Miscellaneous Receipts	0.2	0.1	0.1	0.2	(0.6)	-	0.2	-	-	-	-	-	0.2	1.2	0.2	1.2	(1.0)	-83.3%
Total Receipts	0.2	0.1	0.1	0.2	(0.6)	-	0.2	-	-	-	-	-	0.2	1.2	0.2	1.2	(1.0)	-83.3%
DISBURSEMENTS:																		
Departmental Operations:																		
Personal Service	-	-	-	0.1	-	-	0.1	-	-	-	-	-	0.2	0.2	0.2	0.2	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	0.1	-	-	-	-	-	-	-	-	-	-	-	0.1	0.1	0.1	0.1	-	0.0%
Total Disbursements	0.1	-	-	0.1	-	-	0.1	-	-	-	-	-	0.3	0.3	0.3	0.3	-	0.0%
Excess (Deficiency) of Receipts over Disbursements	0.1	0.1	0.1	0.1	(0.6)	-	0.1	-	-	-	-	-	(0.1)	0.9	(0.1)	0.9	(1.0)	-111.1%
OTHER FINANCING SOURCES (USES):																		
Transfers from Other Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers to Other Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	0.1	0.1	0.1	0.1	(0.6)	-	0.1	-	-	-	-	-	(0.1)	0.9	(0.1)	0.9	(1.0)	-111.1%
Ending Fund Balance	\$ 14.4	\$ 14.5	\$ 14.6	\$ 14.7	\$ 14.1	\$ 14.1	\$ 14.2	\$ 14.2	\$ 14.2	\$ 14.2	\$ -	\$ -	\$ 14.2	\$ 14.1	\$ 14.2	\$ 14.1	\$ 0.1	0.7%



## SCHEDULE 1

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
CHANGES IN FUND BALANCES  
FISCAL YEAR 2020-2021  
FOR THE MONTH OF DECEMBER 2020  
(amounts in millions)

	BALANCE DECEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE DECEMBER 31, 2020
<b>GENERAL FUND</b>					
10000-10049-Local Assistance Account	\$ -	\$ 0.025	\$ 4,625.258	\$ 4,625.233	\$ -
10050-10099-State Operations Account	13,572.918	4,882.834	17.897	(1,915.233)	16,522.622
10100-10149-Tax Stabilization Reserve	-	-	-	-	-
10150-10199-Contingency Reserve	-	-	-	-	-
10200-10249-Universal Pre-K Reserve	-	-	-	-	-
10250-10299-Community Projects	29.807	-	0.033	-	29.774
10300-10349-Rainy Day Reserve Fund	-	-	-	-	-
10400-10449-Refund Reserve Account	-	-	-	-	-
10500-10549-Fringe Benefits Escrow	-	-	-	-	-
10550-10599-Tobacco Revenue Guarantee	-	-	-	-	-
<b>TOTAL GENERAL FUND</b>	<b>13,602.725</b>	<b>4,882.859</b>	<b>4,643.188</b>	<b>2,710.000</b>	<b>16,552.396</b>
<b>SPECIAL REVENUE FUNDS-STATE</b>					
20000-20099-Mental Health Gifts and Donations	0.837	0.001	0.007	-	0.831
20100-20299-Combined Expendable Trust	70.464	0.227	0.840	-	69.851
20300-20349-New York Interest on Lawyer Account	113.260	2.556	6.729	-	109.087
20350-20399-NYS Archives Partnership Trust	-	0.070	0.040	-	0.030
20400-20449-Child Performer's Protection	0.388	0.005	0.044	(0.005)	0.344
20450-20499-Tuition Reimbursement	7.930	0.905	0.289	-	8.546
20500-20549-New York State Local Government Records Management Improvement	5.535	0.914	0.464	-	5.985
20550-20599-School Tax Relief	0.141	35.000	22.568	-	12.573
20600-20649-Charter Schools Stimulus	0.578	-	-	-	0.578
20650-20699-Not-For-Profit Short Term Revolving Loan	-	-	-	-	-
20800-20849-HCRA Resources	200.742	520.946	516.492	(0.341)	204.855
20850-20899-Dedicated Mass Transportation Trust	68.757	47.057	47.310	15.665	84.169
20900-20949-State Lottery	(1,260.344)	273.742	149.883	(4.571)	(1,141.056)
20950-20999-Combined Student Loan	31.985	1.845	1.461	-	32.369
21000-21049-Sewage Treatment Program Mgmt. & Administration	(3.851)	-	0.062	-	(3.913)
21050-21149-Encon Special Revenue	2.378	8.326	7.697	2.553	5.560
21150-21199-Conservation	102.358	2.769	2.851	2.482	104.758
21200-21249-Environmental Protection and Oil Spill Compensation	19.957	2.904	1.434	(5.959)	15.468
21250-21299-Training and Education Program on OSHA	6.456	(0.008)	2.829	(0.407)	3.212
21300-21349-Lawyers' Fund for Client Protection	9.483	0.692	0.047	-	10.128
21350-21399-Equipment Loan for the Disabled	0.533	0.002	-	-	0.535
21400-21449-Mass Transportation Operating Assistance	225.309	341.770	542.862	3.215	27.432
21450-21499-Clean Air	(30.440)	3.248	3.265	(2.067)	(32.524)
21500-21549-New York State Infrastructure Trust	0.071	-	-	-	0.071
21550-21599-Legislative Computer Services	12.369	0.012	0.107	-	12.274
21600-21649-Biodiversity Stewardship and Research	-	-	-	-	-
21650-21699-Combined Non-Expendable Trust	0.469	-	-	-	0.469
21700-21749-Winter Sports Education Trust	-	-	-	-	-
21750-21799-Musical Instrument Revolving	-	-	-	-	-
21850-21899-Arts Capital Grants	0.835	0.001	-	-	0.836
21900-22499-Miscellaneous State Special Revenue	1,727.317	244.870	222.489	(6.237)	1,743.461
22500-22549-Court Facilities Incentive Aid	16.784	0.002	13.448	28.000	31.338

## SCHEDULE 1

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
CHANGES IN FUND BALANCES  
FISCAL YEAR 2020-2021  
FOR THE MONTH OF DECEMBER 2020  
(amounts in millions)

	BALANCE DECEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE DECEMBER 31, 2020
<b>SPECIAL REVENUE FUNDS-STATE (CONTINUED)</b>					
22550-22599-Employment Training	0.053	-	-	-	0.053
22650-22699-State University Income	2,064.558	305.887	503.749	66.911	1,933.607
22700-22749-Chemical Dependence Service	11.584	0.221	0.629	-	11.176
22750-22799-Lake George Park Trust	0.041	0.117	0.100	-	0.058
22800-22849-State Police Motor Vehicle Law Enforcement and Motor Vehicle Theft and Insurance Fraud Prevention	94.952	0.001	1.289	-	93.664
22850-22899-New York Great Lakes Protection	0.460	-	0.013	-	0.447
22900-22949-Federal Revenue Maximization	0.024	-	-	-	0.024
22950-22999-Housing Development	10.647	0.002	0.750	-	9.899
23000-23049-NYS/DOT Highway Safety Program	(16.319)	(0.002)	0.372	-	(16.693)
23050-23099-Vocational Rehabilitation	0.074	-	0.003	-	0.071
23100-23149-Drinking Water Program Management and Administration	(5.351)	-	-	-	(5.351)
23150-23199-NYC County Clerks' Operations Offset	(48.390)	-	2.341	-	(50.731)
23200-23249-Judiciary Data Processing Offset	57.763	3.885	2.353	-	59.295
23250-23449-IFR/CUTRA	148.972	24.672	6.738	-	166.906
23500-23549-USOC Lake Placid Training	0.349	(0.113)	-	-	0.236
23550-23599-Indigent Legal Services	524.266	15.094	14.623	-	524.737
23600-23649-Unemployment Insurance Interest and Penalty	21.958	0.436	0.124	(0.023)	22.247
23650-23699-MTA Financial Assistance Fund	341.304	0.038	167.240	12.500	186.602
23700-23749-New York State Commercial Gaming Fund	33.087	10.438	0.374	-	43.151
23750-23799-Medical Marijuana Trust Fund	13.098	0.815	0.734	(0.245)	12.934
23800-23899-Dedicated Miscellaneous State Special Revenue	4.053	0.361	0.148	-	4.266
24850-24899-Health Care Transformation	316.486	81.366	-	-	397.852
24900-24949-Charitable Gifts Trust Fund	95.918	0.012	-	-	95.930
24950-24999-Interactive Fantasy Sports	22.322	0.709	-	-	22.998
40350-40399-State University Dormitory Income	189.261	8.803	-	(15.427)	182.637
<b>TOTAL SPECIAL REVENUE FUNDS-STATE</b>	<b>5,211.471</b>	<b>1,940.598</b>	<b>2,244.831</b>	<b>96.044</b>	<b>5,003.282</b>
<b>SPECIAL REVENUE FUNDS-FEDERAL</b>					
25000-25099-Federal USDA/Food and Consumer Services	(29.359)	99.259	79.445	(0.178)	(9.723)
25100-25199-Federal Health and Human Services	2,530.742	6,832.872	5,383.814	(147.183)	3,832.617
25200-25249-Federal Education	(40.769)	149.502	121.715	1.122	(11.860)
25300-25899-Federal Miscellaneous Operating Grants	3,518.023	195.041	1,740.802	(5.567)	1,966.695
25900-25949-Unemployment Insurance Administration	72.263	20.746	77.347	(13.468)	2.194
25950-25999-Unemployment Insurance Occupational Training	(0.391)	0.080	0.212	-	(0.523)
26000-26049-Federal Employment and Training Grants	(1.053)	13.375	15.979	(0.452)	(4.109)
<b>TOTAL SPECIAL REVENUE FUNDS-FEDERAL</b>	<b>6,049.456</b>	<b>7,310.875</b>	<b>7,419.314</b>	<b>(165.726)</b>	<b>5,775.291</b>
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>11,260.927</b>	<b>9,251.473</b>	<b>9,664.145</b>	<b>(69.682)</b>	<b>10,778.573</b>
<b>DEBT SERVICE FUNDS</b>					
40000-40049-Debt Reduction Reserve	-	-	-	-	-
40100-40149-Mental Health Services	235.979	95.287	-	9.109	280.375
40150-40199-General Debt Service	3,854.473	2,782.703	1,220.875	(2,271.606)	3,144.695
40250-40299-State Housing Debt Service	-	0.411	-	(0.411)	-
40300-40349-Department of Health Income	22.800	14.902	-	(6.059)	31.643
40400-40449-Clean Water/Clean Air	13.040	95.150	-	(91.063)	17.127
40450-40499-Local Government Assistance Tax	-	353.344	-	(353.344)	-
<b>TOTAL DEBT SERVICE FUNDS</b>	<b>4,126.292</b>	<b>3,281.797</b>	<b>1,220.875</b>	<b>(2,713.374)</b>	<b>3,473.840</b>

## SCHEDULE 1

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
CHANGES IN FUND BALANCES  
FISCAL YEAR 2020-2021  
FOR THE MONTH OF DECEMBER 2020  
(amounts in millions)

	BALANCE DECEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE DECEMBER 31, 2020
<b>CAPITAL PROJECTS FUNDS</b>					
30000-30049-State Capital Projects	-	574.227	607.394	33.167	-
30050-30099-Dedicated Highway and Bridge Trust	(223.784)	177.149	225.249	(36.954)	(308.838)
30100-30299-SUNY Residence Halls Rehabilitation and Repair	111.780	0.012	2.869	-	108.923
30300-30349-New York State Canal System Development	14.099	0.001	-	-	14.100
30350-30399-Parks Infrastructure	(48.652)	7.502	14.618	-	(55.768)
30400-30449-Passenger Facility Charge	0.015	-	-	-	0.015
30450-30499-Environmental Protection	107.135	12.685	17.520	-	102.300
30500-30549-Clean Water/Clean Air Implementation	-	-	-	-	-
30600-30609-Energy Conservation Thru Improved Transportation Bond	0.164	-	-	-	0.164
30610-30619-Park and Recreation Land Acquisition Bond	-	-	-	-	-
30620-30629-Pure Waters Bond	0.668	-	-	-	0.668
30630-30639-Transportation Capital Facilities Bond	3.328	-	-	-	3.328
30640-30649-Environmental Quality Protection Bond	1.419	-	-	-	1.419
30650-30659-Rebuild and Renew New York Transportation Bond	17.200	-	-	-	17.200
30660-30669-Transportation Infrastructure Renewal Bond	4.255	-	-	-	4.255
30670-30679-1986 Environmental Quality Bond Act	5.551	-	-	-	5.551
30680-30689-Accelerated Capacity and Transportation Improvement Bond	2.778	-	-	-	2.778
30690-30699-Clean Water/Clean Air Bond	1.428	-	-	-	1.428
30700-30709-State Housing Bond	-	-	-	-	-
30710-30719-Smart Schools Bond	-	-	-	-	-
30750-30799-Outdoor Recreation Development Bond	-	-	-	-	-
30900-30949-Rail Preservation and Development Bond	-	-	-	-	-
31350-31449-Federal Capital Projects	(458.995)	228.342	121.073	-	(351.726)
31450-31499-Forest Preserve Expansion	1.082	-	-	-	1.082
31500-31549-Hazardous Waste Remedial	(58.318)	1.086	8.498	(0.358)	(66.088)
31650-31699-Suburban Transportation	0.540	-	-	-	0.540
31700-31749-Division for Youth Facilities Improvement	(17.666)	6.988	1.710	-	(12.388)
31800-31849-Housing Assistance	(12.942)	-	-	-	(12.942)
31850-31899-Housing Program	(456.060)	297.779	96.323	-	(254.604)
31900-31949-Natural Resource Damage	17.228	0.020	0.374	-	16.874
31950-31999-DOT Engineering Services	(11.956)	-	-	-	(11.956)
32200-32249-Miscellaneous Capital Projects	101.430	1.847	5.855	3.998	101.420
32250-32299-CUNY Capital Projects	0.037	-	-	-	0.037
32300-32349-Mental Hygiene Facilities Capital Improvement	(437.308)	0.600	21.993	1.000	(457.701)
32350-32399-Correction Facilities Capital Improvement	(251.945)	95.821	38.258	-	(194.382)
32400-32999-State University Capital Projects	142.761	0.009	2.630	(0.021)	140.119
33000-33049-NYS Storm Recovery Fund	(54.495)	-	1.081	-	(55.576)
33050-33099-Dedicated Infrastructure Investment Fund	34.311	-	38.241	68.967	65.037
<b>TOTAL CAPITAL PROJECTS FUNDS</b>	<b>(1,464.912)</b>	<b>1,404.068</b>	<b>1,203.686</b>	<b>69.799</b>	<b>(1,194.731)</b>
<b>TOTAL GOVERNMENTAL FUNDS</b>	<b>\$ 27,525.032</b>	<b>\$ 18,820.197</b>	<b>\$ 16,731.894</b>	<b>\$ (3.257)</b>	<b>\$ 29,610.078</b>

## SCHEDULE 2

STATE OF NEW YORK  
 PROPRIETARY FUNDS  
 SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
 CHANGES IN FUND BALANCES  
 FISCAL YEAR 2020-2021  
 FOR THE MONTH OF DECEMBER 2020  
 (amounts in millions)

<u>FUND TYPE</u>	<u>BALANCE</u> <u>DECEMBER 1, 2020</u>	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	<u>OTHER</u> <u>FINANCING</u> <u>SOURCES (USES)</u>	<u>BALANCE</u> <u>DECEMBER 31, 2020</u>
<b>ENTERPRISE FUNDS</b>					
50000-50049-Youth Commissary	\$ 0.118	\$ 0.001	\$ -	\$ -	\$ 0.119
50050-50099-State Exposition Special	1.416	0.035	0.347	-	1.104
50100-50299-Correctional Services Commissary	4.157	2.884	3.938	-	3.103
50300-50399-Agencies Enterprise	8.940	0.091	1.224	-	7.807
50400-50449-Sheltered Workshop	2.235	0.027	0.010	-	2.252
50450-50499-Patient Workshop	2.115	0.091	0.074	-	2.132
50500-50599-Mental Hygiene Community Stores	4.925	0.053	0.095	-	4.883
50650-50699-Unemployment Insurance	17.052	2,745.900	2,745.959	-	16.993
<b>TOTAL ENTERPRISE FUNDS</b>	<b>40.958</b>	<b>2,749.082</b>	<b>2,751.647</b>	<b>-</b>	<b>38.393</b>
<b>INTERNAL SERVICE FUNDS</b>					
55000-55049-Centralized Services	(126.738)	23.729	29.999	(0.661)	(133.669)
55050-55099-Agency Internal Service	(174.456)	12.169	23.606	5.618	(180.275)
55100-55149-Mental Hygiene Revolving	(0.144)	0.019	0.065	-	(0.190)
55150-55199-Youth Vocational Education	0.081	-	-	-	0.081
55200-55249-Joint Labor and Management Administration	0.445	0.644	0.070	-	1.019
55250-55299-Audit and Control Revolving	(62.981)	6.860	(0.474)	(0.052)	(55.699)
55300-55349-Health Insurance Revolving	(4.368)	-	1.520	(2.104)	(7.992)
55350-55399-Correctional Industries Revolving	(48.225)	2.566	5.118	-	(50.777)
<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b>(416.386)</b>	<b>45.987</b>	<b>59.904</b>	<b>2.801</b>	<b>(427.502)</b>
<b>TOTAL PROPRIETARY FUNDS</b>	<b>\$ (375.428)</b>	<b>\$ 2,795.069</b>	<b>\$ 2,811.551</b>	<b>\$ 2.801</b>	<b>\$ (389.109)</b>



STATE OF NEW YORK						SCHEDULE 3	
FIDUCIARY FUNDS							
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES							
FISCAL YEAR 2020-2021							
FOR THE MONTH OF DECEMBER 2020							
(amounts in millions)							
FUND TYPE							
PENSION TRUST FUNDS							
65000-65049-Common Retirement Administration							
TOTAL PENSION TRUST FUNDS							
PRIVATE PURPOSE TRUST FUNDS							
66000-66049-Agriculture Producers' Security							
66050-66099-Milk Producers' Security							
TOTAL PRIVATE PURPOSE TRUST FUNDS							
AGENCY FUNDS							
60050-60149-School Capital Facilities Financing Reserve							
60150-60199-Child Performer's Holding							
60200-60249-Employees Health Insurance							
60250-60299-Social Security Contribution							
60300-60399-Employee Payroll Withholding							
60400-60449-Employees Dental Insurance							
60450-60499-Management Confidential Group Insurance							
60500-60549-Lottery Prize							
60550-60599-Health Insurance Reserve Receipts							
60600-60799-Miscellaneous New York State Agency							
60800-60849-Elderly Pharmaceutical Insurance Coverage (EPIC) Escrow							
60850-60899-CUNY Senior College Operating							
60900-60949-Medicaid Management Information System (MMIS) Escrow							
60950-60999-Special Education							
61000-61099-State University of New York Revenue Collection							
61100-61999-State University Federal Direct Lending Program							
62000-62049-SSI SSP Payment Escrow							
TOTAL AGENCY FUNDS							
TOTAL FIDUCIARY FUNDS							

## SCHEDULE 4

STATE OF NEW YORK  
 SOLE CUSTODY AND INVESTMENT ACCOUNTS  
 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
 FISCAL YEAR 2020-2021  
 FOR THE MONTH OF DECEMBER 2020  
 (amounts in millions)

ACCOUNTS	FUND TYPE	BALANCE		DISBURSEMENTS	BALANCE
		DECEMBER 1, 2020	RECEIPTS		DECEMBER 31, 2020
70000-70049-Tobacco Settlement		\$ 2,888	\$ -	\$ -	\$ 2,888
70093, 70095, 70300-70301-MTA State Assistance		180,322	199,562	293,691	86,193
70050-70149-Sole Custody Investment (*)		2,521,117	1,999,074	2,483,319	2,036,872
70200-Comptroller's Refund Account		-	113,646	113,646	-
<b>TOTAL ACCOUNTS</b>		<b>\$ 2,704,327</b>	<b>\$ 2,312,282</b>	<b>\$ 2,890,656</b>	<b>\$ 2,125,953</b>

## (\*) Includes Public Asset Fund resources:

Chapter 1 of the Laws of 2002 authorized the conversion of Empire Health Choice, d/b/a Empire Blue Cross and Blue Shield from a not-for-profit corporation to a for-profit corporation. Chapter 1 requires, in part, that upon such conversion, assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to a fund designated as the "Public Asset Fund" and 5 percent transferred to a Charitable Foundation - as set forth in Section 7317 of the Insurance Law. On December 28, 2005, WellChoice, Inc. (previously known as Empire Blue Cross, Blue Shield) approved a takeover by WellPoint, Inc. This conversion was also subject to the same Chapter 1 requirements of assigning assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to the "Public Asset Fund".

As of December 31, 2020, \$9,543,071.29 (representing the remaining balance of the State's 95 percent share of the fair market value of the not-for-profit corporation plus interest) is on deposit in the sole custody account titled Public Asset Fund. In accordance with Section 4301(j)(4)(F) and (O) of the Insurance Law and at the direction of the Director of the Budget, these funds are available for transfer to HCRA Resources Fund (20800-20849).

## SCHEDULE 5

STATE OF NEW YORK  
DEBT SERVICE FUNDS  
STATEMENT OF DIRECT STATE DEBT ACTIVITY  
FISCAL YEAR 2020-2021

PURPOSE	DEBT OUTSTANDING APRIL 1, 2020	DEBT ISSUED		DEBT MATURED		DEBT OUTSTANDING DECEMBER 31, 2020	INTEREST DISBURSED	
		MONTH OF DECEMBER	9 MONTHS ENDED DECEMBER 31, 2020	MONTH OF DECEMBER	9 MONTHS ENDED DECEMBER 31, 2020		MONTH OF DECEMBER	9 MONTHS ENDED DECEMBER 31, 2020
GENERAL OBLIGATION BONDED DEBT:								
Accelerated Capacity and Transportation Improvements	\$ 11,445,463	\$ -	\$ -	\$ 32,990	\$ 753,209	\$ 10,692,254	\$ 1,691	\$ 266,791
Clean Water/Clean Air:								
Air Quality	1,795,354	-	-	33,020	33,020	1,762,334	963	26,899
Safe Drinking Water	-	-	-	-	-	-	-	-
Clean Water	298,595,491	-	-	217,190	10,401,850	288,193,641	143,596	6,665,835
Solid Waste	16,287,590	-	-	829	1,660,096	14,627,494	24	366,253
Environmental Restoration	40,070,447	-	-	1,112,879	1,272,879	38,797,568	183,545	934,506
Energy Conservation Through Improved Transportation:								
Rapid Transit and Rail Freight	1,198,754	-	-	-	176,298	1,022,456	-	48,908
Environmental Quality (1972):								
Air	3,184	-	-	-	-	3,184	-	64
Land and Wetlands	4,939,861	-	-	33,254	58,254	4,881,607	1,704	123,345
Water	6,370,803	-	-	-	715,000	5,655,803	-	168,874
Environmental Quality (1986):								
Land Acquisition/Development/Restoration/Forests	5,309,545	-	-	3,910	489,935	4,819,610	1,223	127,464
Solid Waste Management	91,992,747	-	-	387,130	7,648,053	84,344,694	121,108	2,522,780
Housing:								
Low Income	5,840,000	-	-	-	1,060,000	4,780,000	-	87,600
Middle Income	4,035,000	-	-	-	2,240,000	1,795,000	-	80,718
Park and Recreation Land Acquisition	-	-	-	-	-	-	-	-
Pure Waters	15,498,329	-	-	45,920	1,892,879	13,605,450	32,811	422,592
Rail Preservation Development	-	-	-	-	-	-	-	-
Rebuild and Renew New York Transportation:								
Highway Facilities	600,658,226	-	-	6,160,202	6,160,202	594,498,024	1,276,567	11,688,489
Canals and Waterways	9,419,680	-	-	507,158	507,158	8,912,522	25,992	215,317
Aviation	41,089,448	-	-	-	-	41,089,448	-	643,951
Rail and Port	92,824,245	-	-	-	-	92,824,245	-	1,413,133
Mass Transit - Dept. of Transportation	12,168,734	-	-	-	-	12,168,734	-	286,617
Mass Transit - Metropolitan Transportation Authority	705,163,311	-	-	6,598,903	6,598,903	698,564,408	2,887,954	15,230,696
Rebuild New York-Transportation Infrastructure Renewal:								
Highways, Parkways, and Bridges	553,992	-	-	16,615	16,615	537,377	851	50,864
Rapid Transit, Rail and Aviation	2,042,563	-	-	-	479,171	1,563,392	-	49,370
Smart Schools Bond Act	161,307,133	-	-	-	-	161,307,133	-	4,031,427
Transportation Capital Facilities:								
Aviation	2,090,099	-	-	-	441,478	1,648,621	-	90,412
Mass Transportation	-	-	-	-	-	-	-	-
Total General Obligation Bonded Debt	\$ 2,130,689,999	\$ -	\$ -	\$ 15,150,000	\$ 42,605,000	\$ 2,088,094,999	\$ 4,678,019	\$ 45,532,905

SCHEDULE 5a

STATE OF NEW YORK  
DEBT SERVICE FUNDS  
FINANCING AGREEMENTS  
FOR THE NINE MONTHS ENDED DECEMBER 31, 2020

	DEBT REDUCTION RESERVE (40000-40049)	GENERAL DEBT SERVICE (40151)	DEPARTMENT OF HEALTH INCOME (40300-40349)	LOCAL GOVERNMENT ASSISTANCE TAX (40450-40499)	MENTAL HEALTH SERVICES (40100-40149)	REVENUE BOND TAX <sup>(*)</sup> (40152)	SALES TAX REVENUE BOND TAX (40154)	COMBINED TOTALS 9 MONTHS ENDED DECEMBER 31		\$ INCREASE/ (DECREASE)
								2020	2019	
Special Contractual Financing Obligations:	\$ -	7,115,904	-	-	-	-	-	7,115,904	71,889,337	\$ (64,773,433)
Payments to Public Authorities:										
City University Construction	-	-	-	-	-	-	-	-	-	-
Dominion Authority:	-	-	-	-	-	-	-	-	-	-
Dedicated Service Contract Refunding	-	-	-	-	-	-	-	-	-	-
DASNY Revenue Bond	-	-	-	-	-	1,737,463,049	223,441,555	1,960,904,604	54,551,063	(54,551,063)
Department of Health Facilities	-	-	25,467,940	-	-	-	-	25,467,940	542,837,785	1,418,065,819
Mental Health Facilities	-	-	-	-	8,334,210	-	-	-	26,157,902	(689,962)
Secured Hospital Program	-	2,495,165	-	-	-	-	-	2,495,165	7,095,959	1,235,251
SUNY Community Colleges	-	8,347,200	-	-	-	-	-	8,347,200	3,829,093	(1,333,928)
SUNY Educational Facilities	-	23,819,812	-	-	-	-	-	23,819,812	5,925,700	2,416,500
Environmental Facilities Corporation	-	-	-	-	-	-	-	-	18,022,938	7,796,874
Housing Finance Agency	-	-	-	-	-	17,266,263	-	17,266,263	17,269,722	(3,469)
Local Government Assistance Corporation	-	15,828,552	-	-	-	-	-	15,828,552	17,642,733	(1,814,181)
Metropolitan Transportation Authority:	-	-	-	-	-	-	-	-	21,302,971	(21,302,971)
Transit and Commuter Rail Projects	-	-	-	-	-	-	-	-	-	-
Thruway Authority:	-	-	-	-	-	-	-	-	-	-
Dedicated Highway and Bridge	-	91,511,191	-	-	-	-	-	91,511,191	397,672,434	(306,161,243)
Local Highway and Bridge	-	-	-	-	-	-	-	-	21,772,000	(21,772,000)
Transportation	-	-	-	-	-	17,821,175	-	17,821,175	27,320,113	(9,498,938)
Urban Development Corporation:	-	-	-	-	-	-	-	-	448,350	(448,350)
Clarkson University	-	-	-	-	-	-	-	-	-	-
Columbia Univer. Telecommunications Center	-	-	-	-	-	-	-	-	-	-
Consolidated Service Contract Refunding	-	23,405,116	-	-	-	-	-	23,405,116	78,840,807	(55,435,691)
Cornell Univer. Supercomputer Center	-	-	-	-	-	-	-	-	-	-
Correctional Facilities	-	-	-	-	-	-	-	-	555,750	(555,750)
Debt Reduction Reserve	-	-	-	-	-	-	-	-	-	-
UDC Revenue Bond	-	-	-	-	-	286,525,473	-	286,525,473	92,438,900	194,086,573
University Facilities Grant 95 Refunding	-	11,603	-	-	-	-	-	11,603	1,770,144	(1,758,541)
Total Disbursements for Special Contractual Financing Obligations	\$ -	\$ 174,534,543	\$ 25,467,940	\$ -	\$ 8,334,210	\$ 2,059,075,960	\$ 223,441,555	\$ 2,490,854,208	\$ 1,407,346,701	\$ 1,083,507,507

(\*) Debt Service does not include interest paid on Revenue Anticipation Notes (General Purpose), Series 2020A and 2020B that were reimbursed from the Coronavirus Relief Fund within the Special Revenue Federal Funds.



## SCHEDULE 6

STATE OF NEW YORK  
SUMMARY OF THE OPERATING FUND INVESTMENTS  
FOR THE MONTH OF DECEMBER 2020  
AS REQUIRED OF THE STATE COMPTROLLER  
(amounts in millions)

	MONTH OF DECEMBER 2020	FISCAL YEAR TO DATE	PRIOR FISCAL YEAR TO DATE
<b><u>SHORT TERM INVESTMENT POOL (*)</u></b>			
AVERAGE DAILY INVESTMENT BALANCE (**)	\$ 33,104.1	\$ 28,706.3	\$ 18,875.2
AVERAGE YIELD (**)	0.132%	0.212%	2.207%
TOTAL INVESTMENT EARNINGS	\$ 3,660	\$ 47,921	\$ 320,783

**Month-End Portfolio Balances**

DESCRIPTION	DECEMBER 2020 PAR AMOUNT	DECEMBER 2019 PAR AMOUNT
GOVT. AGENCY BILLS/NOTES	\$ 13,106.3	\$ 4,244.5
REPURCHASE AGREEMENTS	119.3	199.0
GOVT. SPONSORED AGENCIES	902.7	-
COMMERCIAL PAPER	18,315.2	12,692.0
CERTIFICATES OF DEPOSIT/SAVINGS	1,993.0	2,936.8
0% COMPENSATING BALANCE CDs	723.0	8.0
	<b>\$ 35,159.5</b>	<b>\$ 20,080.3</b>

(\*) Pursuant to §98 of the State Finance Law, the State Comptroller is authorized to invest and keep invested all moneys, in any fund, held by the State. The Short Term Investment Pool (STIP) represents an accounting mechanism that allows for the separate accounting of individual funds (on deposit in the State's General Checking account) for the purpose of making short term investments. Pursuant to State Finance Law §4(5) the STIP is authorized to temporarily loan to the General Fund-State Operations Account (10050) funds for a period not to exceed the end of the fiscal year. However, it must be noted that certain funds are invested as part of STIP, but are held by the State Comptroller in a fiduciary capacity. Fiduciary fund balances are restricted and may not be used for any State purposes since moneys in such funds are held by the State in a trustee (or fiduciary) capacity or as an agent for individuals, private organizations, or non-State governmental units (e.g. local governments and public authorities). Therefore, Fiduciary fund balances are not available to be temporarily loaned to the General Fund-State Operations Account. Fiduciary fund balances are presented in Schedules 3 and 4 of this report.

(\*\*) Does not include 0% Compensating Balance CDs.

## APPENDIX A

STATE OF NEW YORK  
HCRA RESOURCES FUND  
STATEMENT OF RECEIPTS AND DISBURSEMENTS BY ACCOUNT  
FISCAL YEAR 2020-2021

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	9 Months Ended December 31, 2020
<b>OPENING CASH BALANCE</b>	\$ 15,704,540	\$ 95,764,658	\$ 80,082,746	\$ 480,512,199	\$ 186,132,186	\$ 217,721,195	\$ 104,334,501	\$ 181,381,146	\$ 200,742,306	-	-	-	\$ 15,704,540
<b>RECEIPTS:</b>													
Cigarette Tax	68,786,104	51,352,065	60,187,824	68,798,997	60,405,723	70,952,125	55,756,250	59,065,187	60,999,901	60,999,901			556,304,176
State Share of NYC Cigarette Tax	2,160,000	1,133,000	1,346,000	1,945,000	1,308,000	2,075,000	1,945,000	1,555,000	1,748,000	1,748,000			14,936,000
Vapor Excise Tax	25,977	69,976	11,670,725	(348,272)	(123,922)	7,357,137	6,765	27,573	6,801,844	6,801,844			25,487,703
STIP Interest	382,848	298,771	58,513	43,854	53,717	52,869	41,598	38,448	48,760	48,760			979,378
Public Asset Transfers	-	-	-	-	-	-	-	-	-	-			-
Payments	478,443,469	390,720,867	437,015,587	378,079,517	389,691,001	454,153,792	435,070,965	401,657,632	444,521,644	444,521,644			3,807,349,653
Fees	327,000	48,000	561,000	930,000	778,000	1,404,000	139,000	390,000	2,067,000	2,067,000			3,806,700,000
Restatements	12,000	4,545,140	5,975,618	9,916,208	2,000,366	4,881,029	2,789,802	3,532,553	4,734,992	4,734,992			39,487,508
Restitution and Settlements	-	-	-	-	-	-	-	-	-	-			-
Miscellaneous	-	-	297,248	-	1,148	-	483	-	22,682	22,682			321,561
<b>Total Receipts</b>	<b>550,137,287</b>	<b>448,125,819</b>	<b>517,109,515</b>	<b>457,384,004</b>	<b>454,112,033</b>	<b>540,875,952</b>	<b>495,529,083</b>	<b>466,366,393</b>	<b>520,945,873</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,450,565,889</b>
<b>DISBURSEMENTS:</b>													
Interest - Late Payments	466,021,724	462,778,011	97,733,246	756,144,082	414,416,738	642,714,484	404,418,743	442,607,097	510,453,711	510,453,711			4,198,787,836
Interest - State Payments	36	22	29,224	11,452	(5,834)	(3,803)	610	203	(642)	(642)			28,298
Personal Service	1,509,162	534,992	1,290,641	270,886	1,523,044	750,054	1,609,108	983,288	345,679	345,679			8,816,954
Non-Personal Service	55,956	(291,887)	5,284,609	4,077,823	3,348,084	7,838,783	3,878,285	2,812,150	5,182,277	5,182,277			32,188,210
Employee Benefits/Indirect Costs	612,447	299,051	1,164,130	638,546	568,694	194,836	891,073	593,884	511,315	511,315			5,473,976
<b>Total Disbursements</b>	<b>468,199,325</b>	<b>463,320,209</b>	<b>105,499,150</b>	<b>761,142,689</b>	<b>419,851,726</b>	<b>650,995,364</b>	<b>410,797,819</b>	<b>446,986,672</b>	<b>516,497,340</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,243,295,241</b>
<b>OPERATING TRANSFERS:</b>													
Transfers to Capital Projects Fund	-	-	-	-	1,147	-	-	-	-	-			-
Transfers to General Fund	-	-	297,248	-	2,276,000	2,650,324	484	-	132,000	-			430,879
Transfers to Revenue Bond Tax Fund	-	-	-	-	-	-	-	-	-	-			4,926,324
Transfers to Miscellaneous Special Revenue Fund:													
Administration Program Account	989,254	-	-	-	-	222,807	(1)	1	-	-			1,212,061
Empire State Stem Cell Trust Account	989,960	-	-	601,526	364,151	384,116	7,100,000	208,610	208,610	208,610			7,100,000
Transfers to SUNY Income Fund	1,877,044	487,522	685,682	601,226	2,877,280	3,267,282	7,484,399	208,911	340,970	-			4,450,742
<b>Total Operating Transfers</b>	<b>470,077,169</b>	<b>463,807,731</b>	<b>106,680,062</b>	<b>761,744,017</b>	<b>422,523,024</b>	<b>654,267,646</b>	<b>418,282,418</b>	<b>447,205,233</b>	<b>516,832,950</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,261,415,250</b>
<b>Total Disbursements and Transfers</b>	<b>470,077,169</b>	<b>463,807,731</b>	<b>106,680,062</b>	<b>761,744,017</b>	<b>422,523,024</b>	<b>654,267,646</b>	<b>418,282,418</b>	<b>447,205,233</b>	<b>516,832,950</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,261,415,250</b>
<b>CLOSING CASH BALANCE</b>	<b>\$ 95,764,658</b>	<b>\$ 80,082,746</b>	<b>\$ 480,512,199</b>	<b>\$ 186,132,186</b>	<b>\$ 217,721,195</b>	<b>\$ 104,334,501</b>	<b>\$ 181,581,146</b>	<b>\$ 200,742,306</b>	<b>\$ 204,855,179</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 204,855,179</b>

## APPENDIX B

STATE OF NEW YORK  
HCRA RESOURCES FUND  
STATEMENT OF PROGRAM DISBURSEMENTS  
FISCAL YEAR 2020-21

Program/Purpose	Appropriation Amount (*)	December	9 Months Ended December 31, 2020 (**)
<b>CENTER FOR COMMUNITY HEALTH PROGRAM</b>	<b>8,752,000.00</b>	<b>276,926.07</b>	<b>2,005,165.42</b>
CENTER FOR COMMUNITY HLTH	8,752,000.00	276,926.07	2,005,165.42
<b>CHILD HEALTH INSURANCE PROGRAM</b>	<b>2,134,768,000.00</b>	<b>82,283,686.58</b>	<b>397,768,214.47</b>
CHILD HEALTH INSURANCE	2,134,768,000.00	82,283,686.58	397,768,214.47
<b>COMMUNITY SUPPORT PROGRAM</b>	<b>120,000.00</b>	<b>-</b>	<b>-</b>
COMMUNITY SUPPORT	120,000.00	-	-
<b>ELDERLY PHARMACEUTICAL INS COVERAGE PRG</b>	<b>384,850,000.00</b>	<b>8,662,068.15</b>	<b>77,814,018.67</b>
ELDERLY PHARMACEUTICAL INSURANCE COVERAGE	384,850,000.00	8,662,068.15	77,814,018.67
<b>HEALTH CARE REFORM ACT PROGRAM</b>	<b>1,490,325,059.03</b>	<b>5,884,461.26</b>	<b>142,581,224.29</b>
AIDS DRUG ASSISTANCE	123,150,000.00	-	-
AMBULATORY CARE TRAINING	3,537,000.00	-	448,825.77
AREA HEALTH EDUCATION CENTER	3,387,000.00	-	583,185.44
COMMISSIONER EMERGENCY DISTRIBUTIONS	24,700,000.00	-	(0.01)
DIAGNOSTIC AND TREATMENT CTR UNCOMPENSATED CARE	163,200,000.00	-	-
DIVERSITY IN MEDICINE	4,732,000.00	-	-
EMPIRE CLINIC RESEARCH INVESTMENT (ECRIP)	10,335,000.00	2,400,000.00	2,400,000.00
HCRA PAVOR / PROVIDER AUDITS	9,440,000.00	450,000.00	1,643,213.15
HEALTH FACILITY RESTRUCTURING DASNY	39,200,000.00	-	-
HEALTH WORKFORCE RETRAINING	18,320,000.00	172,605.54	3,964,852.48
INFERTILITY SERVICES GRANTS	5,733,000.00	104,697.37	303,370.26
MEDICAL INDEMNITY FUND	52,000,000.00	-	-
PART 405.4 HOSPITAL AUDITS NYCRR	2,200,000.00	-	-
PHYSICIAN EXCESS MEDICAL MALPRACTICE	359,900,000.00	-	102,100,000.00
PHYSICIAN LOAN REPAYMENT	27,195,000.00	123,089.60	1,516,764.25
PHYSICIAN WORKFORCE STUDIES	974,000.00	116,000.00	240,000.00
POISON CONTROL CENTERS	6,320,000.00	1,920,000.00	1,920,000.00
POOL ADMINISTRATION	5,300,000.00	-	966,827.13
ROSWELL PARK CANCER INSTITUTE	89,266,000.00	-	22,777,800.00
RURAL HEALTH CARE ACCESS	50,000.00	-	-
RURAL HEALTH CARE ACCESS & NETWORK DEVELOPMENT	17,060,000.00	1.00	397,985.62
RURAL HEALTH CARE GRANTS	9,410,000.00	598,067.75	2,038,544.60
RURAL HEALTH NETWORK	1,100,000.00	-	-
SCHOOL BASED HEALTH CENTERS	11,610,000.00	-	1,279,895.60
SCHOOL BASED HEALTH CLINICS-POOL ADMIN	4,230,000.00	-	-
TRANSITION ACCT - PRIOR YEAR ALLOCATION	8,460,000.00	-	-
<b>MEDICAL ASSISTANCE PROGRAM</b>	<b>489,526,059.03</b>	<b>-</b>	<b>-</b>
HOME HEALTH RATE INCREASE	28,631,301,000.00	416,440,160.10	3,598,139,262.63
MEDICAID INDIGENT CARE	300,000,000.00	-	-
MEDICAL ASSISTANCE	4,999,000,000.00	66,440,160.10	583,139,262.63
PSNL CRE WRKR RECR & RETEN NYC (***)	22,349,101,000.00	350,000,000.00	3,015,000,000.00
PSNL CRE WRKR RECR & RETEN ROS (****)	916,000,000.00	-	-
<b>NEW YORK STATE OF HEALTH</b>	<b>67,200,000.00</b>	<b>-</b>	<b>-</b>
NEW YORK STATE OF HEALTH ADMINISTRATION	102,431,000.00	2,573,375.07	20,863,438.79
<b>OFFICE OF HEALTH INSURANCE PROGRAM</b>	<b>102,431,000.00</b>	<b>2,573,375.07</b>	<b>20,863,438.79</b>
OFFICE OF HEALTH INSURANCE	1,834,000.00	-	-
<b>OFFICE OF HEALTH SYSTEMS MANAGEMENT</b>	<b>68,317,000.00</b>	<b>580,504.03</b>	<b>5,900,600.01</b>
OFFICE HEALTH SYSTEMS MANAGEMENT	68,317,000.00	580,504.03	5,900,600.01
<b>OFFICE OF LONG TERM CARE</b>	<b>2,477,800.00</b>	<b>-</b>	<b>-</b>
ADULT HOME INITIATIVE	2,477,800.00	-	-
<b>REVENUE, PROCESSING &amp; RECONCILIATION</b>	<b>8,190,000.00</b>	<b>-</b>	<b>2,674,293.07</b>
REVENUE, PROCESSING & RECONCILIATION	8,190,000.00	-	2,674,293.07
<b>TOTAL</b>	<b>32,833,365,859.03</b>	<b>516,701,181.26</b>	<b>4,247,745,217.35</b>
Redclass of SUNY Hospital Disprop Share to Transfer	-	(208,610.57)	(4,450,742.75)
Redclass of SUNY Hospital Poison Control Centers to Transfer	-	-	-
Redclass of SUNY Empire Clinical Research Investigator Program to Transfer	-	-	-
Reconciling Adjustment (P-Card and T-Card)	-	(230.84)	(230.84)
<b>TOTAL REPORTED AMOUNT</b>	<b>\$ 32,833,365,859.03</b>	<b>\$ 516,492,339.85</b>	<b>\$ 4,243,295,243.76</b>

(\*) Includes amounts appropriated in SFY 2020-21, as well as prior year appropriations that were reappropriated.

(\*\*) Disbursements from the HCRA Resources Fund includes direct grant payments to program beneficiaries, services and expenses for administration of grant programs, and transfers to the Public Goods Pool to finance payments made by the State's fiscal agent.

(\*\*\*) Full title is: NYC Personal Care Workforce Recruitment and Retention Rates Grants.

(\*\*\*\*) Full title is: Personal Care Workforce Recruitment and Retention Rates Grants.

## APPENDIX C

STATE OF NEW YORK  
STATEMENT OF CASH FLOW - PUBLIC GOODS POOL  
FISCAL YEAR 2020-21

	1st Quarter APRIL - JUNE	2nd Quarter JULY - SEPTEMBER	2020 OCTOBER	2020 NOVEMBER	2020 DECEMBER	2020-21
<b>OPENING CASH BALANCE</b>	\$ 350,947,309.06	\$ 126,897,506.61	\$ 318,804,091.76	\$ 300,230,777.72	\$ 324,134,854.88	\$ 350,947,309.06
<b>RECEIPTS:</b>						
Patient Services	722,415,689.44	975,374,899.18	285,489,035.07	290,610,212.04	283,765,583.86	2,557,655,419.59
Covered Lives	224,564,997.99	294,913,084.03	84,288,479.43	84,757,009.78	83,874,461.43	772,398,032.66
Provider Assessments	19,621,242.87	22,021,897.80	7,247,462.61	7,562,420.86	9,274,829.69	65,727,853.83
1% Assessments	103,739,180.00	107,280,064.00	34,082,840.00	36,624,068.00	35,134,503.19	316,860,655.19
DASNY- MOE/Recast receivables	-	-	-	-	-	-
Interest Income	13,893.95	16,145.63	2,835.45	2,611.67	3,121.65	38,608.35
Unassigned	(1,563,049.32)	(978,886.85)	1,100,696.29	1,562,265.76	4,120,808.52	4,241,834.40
<b>Total Receipts</b>	<b>1,068,791,954.93</b>	<b>1,398,627,203.79</b>	<b>412,211,348.85</b>	<b>421,118,588.11</b>	<b>416,173,308.34</b>	<b>3,716,922,404.02</b>
<b>PROGRAM DISBURSEMENTS:</b>						
Poison Control Centers	-	-	-	-	(1,920,000.00)	(1,920,000.00)
School Based Health Center Grants	-	-	-	-	-	-
ECRIP Distributions	-	-	-	-	(2,400,000.00)	(2,400,000.00)
<b>Total Program Disbursements</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(4,320,000.00)</b>	<b>(4,320,000.00)</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>1,068,791,954.93</b>	<b>1,398,627,203.79</b>	<b>412,211,348.85</b>	<b>421,118,588.11</b>	<b>411,853,308.34</b>	<b>3,712,602,404.02</b>
<b>OTHER FINANCING SOURCES (USES):</b>						
Transfers From Other Pools:						
Medicaid Disproportionate Share	-	-	-	-	-	-
Health Facility Assessment Fund - Hospital Quality Contribution	13,334,232.00	13,201,960.00	4,284,504.00	4,442,958.00	3,888,052.00	39,151,706.00
<b>Transfers From State Funds:</b>						
HCRA Resources Fund	-	-	-	-	4,320,000.00	4,320,000.00
<b>Total Other Financing Sources</b>	<b>13,334,232.00</b>	<b>13,201,960.00</b>	<b>4,284,504.00</b>	<b>4,442,958.00</b>	<b>8,208,052.00</b>	<b>43,471,706.00</b>
<b>Transfers To Other Pools:</b>						
Medicaid Disproportionate Share	-	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-	-
<b>Transfers To State Funds:</b>						
HCRA Resources Fund	(1,306,175,989.38)	(1,219,922,578.64)	(435,069,166.89)	(401,657,468.95)	(444,521,521.26)	(3,807,346,725.12)
Indigent Care Fund - Matched	-	-	-	-	-	-
Indigent Care Fund - Unmatched	-	-	-	-	-	-
<b>Total Other Financing Uses</b>	<b>(1,306,175,989.38)</b>	<b>(1,219,922,578.64)</b>	<b>(435,069,166.89)</b>	<b>(401,657,468.95)</b>	<b>(444,521,521.26)</b>	<b>(3,807,346,725.12)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(224,049,802.45)</b>	<b>191,906,585.15</b>	<b>(18,573,314.04)</b>	<b>23,904,077.16</b>	<b>(24,460,160.92)</b>	<b>(51,272,615.10)</b>
<b>CLOSING CASH BALANCE</b>	<b>\$ 126,897,506.61</b>	<b>\$ 318,804,091.76</b>	<b>\$ 300,230,777.72</b>	<b>\$ 324,134,854.88</b>	<b>\$ 299,674,693.96</b>	<b>\$ 299,674,693.96</b>

Source: HCRA - Office of Pool Administration



## APPENDIX D

STATE OF NEW YORK  
STATEMENT OF CASH FLOW - MEDICAID DISPROPORTIONATE SHARE  
FISCAL YEAR 2020-21

	1st Quarter APRIL - JUNE	2nd Quarter JULY - SEPTEMBER	2020 OCTOBER	2020 NOVEMBER	2020 DECEMBER	2020-21
OPENING CASH BALANCE	\$ 668.63	\$ 169.31	\$ 333,127.45	\$ 163.10	\$ 122.39	\$ 668.63
RECEIPTS:						
Interest Income	422.98	1,460.78	163.10	122.39	134.57	2,303.82
Total Receipts	422.98	1,460.78	163.10	122.39	134.57	2,303.82
PROGRAM DISBURSEMENTS:						
Indigent Care	(188,629,685.12)	(150,799,778.96)	(52,705,108.77)	(52,445,619.79)	(78,448,344.58)	(523,028,517.22)
High Need Indigent Care	-	-	-	-	-	-
Other	506,867.55	(90,700,038.60)	2,479,580.40	2,194,060.46	(940,024.22)	(86,459,554.41)
Total Program Disbursements	(188,122,797.57)	(241,499,817.56)	(50,225,528.37)	(50,251,559.33)	(79,388,368.80)	(609,488,071.63)
Excess (Deficiency) of Receipts over Disbursements	(188,122,374.59)	(241,498,356.78)	(50,225,365.27)	(50,251,436.94)	(79,388,234.23)	(609,485,767.81)
OTHER FINANCING SOURCES (USES):						
Transfers From Other Pools:						
Public Goods Pool	-	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-	-
Transfers From State Funds:						
HCRA Resources Indigent Care - Matched	94,314,832.56	113,950,116.17	23,029,709.38	22,971,181.47	34,000,497.18	288,266,336.76
HCRA Resources Indigent Care - Unmatched	(506,129.55)	16,528,236.56	(2,685,283.60)	(2,194,060.46)	8,596,234.67	19,738,997.62
HCRA Resources Indigent Care - ATB	-	-	-	-	-	-
Federal DHHS Fund	94,314,832.56	113,950,116.15	29,549,535.77	29,474,438.32	43,626,208.70	310,915,131.50
Other	-	-	-	-	-	-
Total Other Financing Sources	188,123,535.57	244,428,468.88	49,893,961.55	50,251,559.33	86,222,940.55	618,920,465.88
Transfers To Other Pools:						
Public Goods Pool	-	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-	-
Transfers To State Funds:						
HCRA Resources Fund Indigent Care Acct	(922.30)	(431.55)	(1,198.54)	(163.10)	(122.39)	(2,837.88)
CSRA Inc (eMedNY) General Fund	(738.00)	(2,596,722.41)	(362.09)	-	-	(2,597,822.50)
Total Other Financing Uses	(1,660.30)	(2,597,153.96)	(1,560.63)	(163.10)	(122.39)	(2,600,660.38)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(499.32)	332,958.14	(332,964.35)	(40.71)	6,834,583.93	6,834,037.69
CLOSING CASH BALANCE	\$ 169.31	\$ 333,127.45	\$ 163.10	\$ 122.39	\$ 6,834,706.32	\$ 6,834,706.32

Source: HCRA - Office of Pool Administration

## APPENDIX E

STATE OF NEW YORK  
SUMMARY OF OFF-BUDGET SPENDING REPORT  
FISCAL YEAR 2020-2021  
(amounts in thousands)

	2020 APRIL	2020 MAY	2020 JUNE	2020 JULY	2020 AUGUST	2020 SEPTEMBER	2020 OCTOBER	2020 NOVEMBER	2020 DECEMBER	2021 JANUARY	2021 FEBRUARY	2021 MARCH	2020-2021 TOTAL
<b>DORMITORY AUTHORITY:</b>													
Education - All Other	\$ -	\$ -	\$ -	\$ -	\$ 15	\$ -	\$ -	\$ -	\$ -	-	-	-	\$ 15
Education - EXCEL	427	2,157	1,567	17	-	649	-	829	90	-	-	-	5,736
Department of Health - All Other	(1)	-	59	-	-	-	-	-	-	-	-	-	68
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
Regional Development													
Community Capital Assistance Program (CCAP)/RESTORE	525	-	454	444	323	148	14	383	94	-	-	-	2,385
Multi-modal	-	-	24	-	-	20	-	-	-	-	-	-	44
GenYsis	-	-	-	-	-	-	-	-	-	-	-	-	-
CUNY Senior Colleges	24,128	11,443	24,631	18,581	19,061	18,031	10,339	32,044	15,125	-	-	-	173,383
CUNY Community Colleges	4,766	1,358	5,403	2,217	1,062	2,094	83	4,094	2,211	-	-	-	23,278
Brooklyn Court Officer Training Academy	26	-	-	1,153	-	-	-	-	-	-	-	-	1,179
<b>TOTAL DORMITORY AUTHORITY</b>	<b>29,871</b>	<b>14,958</b>	<b>32,138</b>	<b>22,412</b>	<b>20,451</b>	<b>20,942</b>	<b>10,436</b>	<b>37,350</b>	<b>17,520</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>206,078</b>
<b>EMPIRE STATE DEVELOPMENT CORP:</b>													
Regional Development													
Centers of Excellence	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Capital Assistance Program (CCAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
Empire Opportunity	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
State Facilities and Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EMPIRE STATE DEVELOPMENT CORP</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL OFF-BUDGET</b>	<b>\$ 29,871</b>	<b>\$ 14,958</b>	<b>\$ 32,138</b>	<b>\$ 22,412</b>	<b>\$ 20,451</b>	<b>\$ 20,942</b>	<b>\$ 10,436</b>	<b>\$ 37,350</b>	<b>\$ 17,520</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 206,078</b>

The Division of the Budget (DOB) is responsible for organizing and presenting the above schedule of Off Budget Spending. Such reported disbursements are drawn from unaudited financial data provided by public authorities. Although the Office of the State Comptroller (OSC) has no reason to believe this information to be unreliable, it is important to note that these program disbursements are financed with public authority bond proceeds deposited directly into public authority accounts and all disbursements are made without any oversight by the OSC. Therefore, and pursuant to the provisions of Chapter 60, §16, of the Laws of 2006, this schedule is provided for information only.

APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	September 30, 2020				October 31, 2020				November 30, 2020				December 31, 2020			
		\$				\$				\$				\$			
10050	GENERAL FUND	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	STATE OPERATIONS AND LOCAL ASSISTANCE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	TOTAL GENERAL FUND	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	CAPITAL PROJECT AND BOND REIMBURSABLE FUNDS																(***)
30051	HIGHWAY AND BRIDGE CAPITAL	362,853,243.13				229,640,531.67				251,120,260.33				97,529,023.88		348,649,284.21	
30053	AVIATION PURPOSE ACCOUNT	-				-				-				-		-	
30101	REHAB/REPAIR MARITIME	-				-				-				-		-	
30102	D28RVE- MARITIME	-				-				-				-		-	
30103	D38RVE- CENTRAL ADMIN	-				-				-				-		-	
30104	RESIDENCE HALL CAMPUS LET BOND PROCEEDS	-				-				-				-		-	
30105	REHAB/REPAIR ALBANY	-				-				-				-		-	
30106	D01RVE- ALBANY	-				-				-				-		-	
30107	REHAB/REPAIR BINGHAMTON	-				-				-				-		-	
30108	D07RVE- BINGHAMTON	-				-				-				-		-	
30109	REHAB/REPAIR BUFFALO UNIVERSITY	-				-				-				-		-	
30110	D28RVE- SUNY BUFFALO	-				-				-				-		-	
30111	REHAB/REPAIR STONYBROOK	-				-				-				-		-	
30112	D13RVE- STONYBROOK	-				-				-				-		-	
30113	REHAB/REPAIR BROOKLYN	-				-				-				-		-	
30114	D14RVE- HSC BROOKLYN	-				-				-				-		-	
30115	REHAB/REPAIR SYRACUSE	-				-				-				-		-	
30116	D15RVE- HSC SYRACUSE	-				-				-				-		-	
30117	REHAB/REPAIR BROCKPORT	-				-				-				-		-	
30118	D02RVE- BROCKPORT	-				-				-				-		-	
30119	REHAB/REPAIR BUFFALO COLLEGE	-				-				-				-		-	
30120	D03RVE- SUB BUFFALO	-				-				-				-		-	
30121	REHAB/REPAIR CORTLAND	-				-				-				-		-	
30122	D04RVE- CORTLAND	-				-				-				-		-	
30123	REHAB/REPAIR FREDONIA	-				-				-				-		-	
30124	D05RVE- FREDONIA	-				-				-				-		-	
30125	REHAB/REPAIR GENESEO	-				-				-				-		-	
30126	D06RVE- GENESEO	-				-				-				-		-	
30127	REHAB/REPAIR OLD WESTBURY	-				-				-				-		-	
30128	D31RVE- OLD WESTBURY	-				-				-				-		-	
30129	REHAB/REPAIR NEW PALTZ	-				-				-				-		-	
30130	D08RVE- NEW PALTZ	-				-				-				-		-	
30131	REHAB/REPAIR ONEONTA	-				-				-				-		-	
30132	D09RVE- ONEONTA	-				-				-				-		-	
30133	REHAB/REPAIR OSWEGO	-				-				-				-		-	
30134	D10RVE- OSWEGO	-				-				-				-		-	
30135	REHAB/REPAIR PLATTSBURGH	-				-				-				-		-	
30136	D11RVE- PLATTSBURGH	-				-				-				-		-	
30137	REHAB/REPAIR POTSDAM	-				-				-				-		-	
30138	D12RVE- POTSDAM	-				-				-				-		-	
30139	REHAB/REPAIR PURCHASE	-				-				-				-		-	
30140	D25RVE- PURCHASE	-				-				-				-		-	
30141	REHAB/REPAIR FOR UTICA/ROME	-				-				-				-		-	
30142	D27RVE- CAMPUS RESERVE	-				-				-				-		-	
30143	REHAB/REPAIR ALFRED	-				-				-				-		-	
30144	D22RVE- ALFRED	-				-				-				-		-	
30145	REHAB/REPAIR CANTON	-				-				-				-		-	
30146	D23RVE- CANTON	-				-				-				-		-	
30147	REHAB/REPAIR COBLESKILL	582,031.54				801,040.11				839,392.34				113,677.04		953,069.38	
30148	D24RVE- COBLESKILL	-				-				-				-		-	
30149	REHAB/REPAIR DELHI	-				-				-				-		-	
30150	D25RVE- DELHI	-				-				-				-		-	
30151	REHAB/REPAIR FARMINGDALE	-				-				-				-		-	
30152	D26RVE- FARMINGDALE	-				-				-				-		-	
30153	REHAB/REPAIR MORRISVILLE	-				-				-				-		-	
30154	D27RVE- MORRISVILLE	-				-				-				-		-	
30351	STATE PARK INFRASTRUCTURE	-				-				-				-		-	
30501	CWICA IMPLEMENTATION DEC	70,449,897.42				34,853,969.61				48,651,826.34				7,116,590.30		55,768,416.64	
30502	CWICA IMPLEMENTATION STATE	-				-				-				-		-	
30503	CWICA IMPLEMENTATION ERDA	-				-				-				-		-	
30504	CWICA IMPLEMENTATION EFC	-				-				-				-		-	
31506	HAZARDOUS WASTE CLEAN UP	103,476,681.09				90,789,823.06				99,450,396.33				7,512,451.09		106,962,837.42	
31701	YOUTH FACILITIES IMPROVEMENT	15,758,588.97				17,191,103.28				17,665,916.53				(5,278,094.55)		12,387,821.98	
31801	HOUSING ASSISTANCE	12,941,967.06				12,941,967.06				12,941,967.06				-		12,941,967.06	
31851	HOUSING PROG FD-HSG TR FD CORP	285,465,442.82				299,615,002.56				302,876,002.56				(185,921,479.24)		116,954,523.32	
31852	HOUSING PROG FD AFFORD HSG CORP	42,074,022.81				44,736,658.81				44,736,658.81				(6,041,537.09)		38,695,121.72	
31853	HOUSING PROG FD-DEPT OF SOCIAL SERVICES	97,039,684.37				104,339,684.37				108,739,684.37				(9,493,167.23)		99,246,517.14	
31854	HOUSING PROG FD-HFA	-				-				-				-		-	
31951	HIGHWAY FAC PURPOSE	11,969,463.99				11,956,479.77				11,956,479.77				-		11,956,479.77	

APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	September 30, 2020	October 31, 2020	November 30, 2020	December 31, 2020
32213	NY RACING ACCOUNT	153,750.00	153,750.00	153,750.00	153,750.00
32214	CAPITAL PROJECT MISC GIFTS	-	-	-	-
32215	IT CAPITAL FINANCING ACCT	2,883,666.80	3,394,250.29	3,825,768.96	4,765,153.90
32219	NY ENVIRONMENTAL PROTECTION & SPILL REMEDIATION	-	-	-	180.00
32301	OPWDD-STATE FACILITIES PRE 12/99	-	-	-	-
32302	DSAS-COMMUNITY FACILITIES	69,237,204.51	70,034,608.01	70,371,273.02	71,862,321.37
32303	OMH-COMMUNITY FACILITIES	-	-	-	-
32304	OPWDD-COMMUNITY FACILITIES	182,240,076.13	181,628,539.69	182,617,289.69	185,432,642.59
32305	OASAS-COMMUNITY FACILITIES	-	-	-	-
32306	DASNY - OMH ADMIN	7,828,273.39	7,828,273.39	7,828,273.39	11,650,968.39
32307	DASNY - OPWDD ADMIN	1,732,406.20	2,581,221.20	2,581,221.20	2,581,221.20
32308	DASNY - OASAS ADMIN	116,332,293.79	125,053,038.62	155,276,393.23	165,417,218.76
32309	OMH - STATE FACILITIES	18,171,024.28	19,371,024.28	29,377,388.35	31,697,903.16
32310	OPWDD - STATE FACILITIES	2,105,820.18	2,484,056.85	3,400,362.44	3,203,257.72
32311	OASAS - STATE FACILITIES	-	-	-	-
32351	CORR. FACILITIES CAPITAL IMPROVEMENT	212,506,047.90	232,977,446.82	251,945,041.28	194,435,239.85
32352	DOCS-REHABILITATION PROJECTS	0.55	0.55	-	-
32353	CORR. FACILITIES CAPITAL CLOSURE	54,411,469.09	53,597,768.11	54,495,130.81	55,576,380.02
33001	STORM RECOVERY ACCOUNT	-	-	-	-
	<b>TOTAL CAPITAL AND BOND REIMBURSABLE FUNDS</b>	<b>1,670,263,036.02</b>	<b>1,545,970,238.11</b>	<b>1,660,850,466.81</b>	<b>1,531,292,275.60</b>
	<b>STATE SPECIAL REVENUE FUNDS</b>				
20401	DOL-CHILD PERFORMER PROTECTION ACCOUNT	-	-	-	-
20452	VOCATIONAL SCHOOL SUPERVISION	-	-	-	-
20501	LOCAL GOVERNMENT RECORDS MGMT	69,887,137.16	-	23,122,890.06	-
20810	CHILD HEALTH INSURANCE	277,647.70	10,282,047.95	15,622,758.03	-
20901	EPIC PREMIUM ACCOUNT	1,562,212,831.94	1,412,369,107.33	1,260,608,694.01	1,088,708,130.42
20904	LOTTERY-EDUCATION	79,973,663.25	196,105,093.55	252,710,310.93	345,538,604.22
21001	VLT EDUCATION	-	-	-	-
21001	ENVIR FAC CORP ADM ACCT	-	-	-	-
21002	ENCON ADMIN ACCT	3,747,659.65	3,799,431.43	3,851,203.21	3,912,591.70
21061	HAZARDOUS BULK STORAGE	-	-	-	-
21064	UTILITY ENVIRONMENTAL REGULATORY ACCOUNT	1,672,089.99	1,672,089.99	1,672,089.99	1,672,089.99
21065	FEDERAL GRANTS INDIRECT COST RECOVERY ACCOUNT	4,193,299.47	1,669,475.98	2,337,334.86	762,637.76
21066	ENCON-LOW LEVEL RADIOACTIVE WASTE SITING	3,778,420.46	3,943,450.99	4,118,797.02	3,945,486.63
21067	ENCON-RECREATION	-	-	-	-
21077	PUBLIC SAFETY RECOVERY ACCOUNT	-	-	-	-
21081	ENVIRONMENTAL REGULATORY	66,000,252.83	60,296,707.17	59,172,374.86	60,694,009.62
21082	NATURAL RESOURCES ACCOUNT	14,524,726.67	14,265,932.36	14,337,266.95	14,890,320.20
21084	MINED LAND RECLAMATION ACCT	-	-	-	-
21087	GREAT LAKES RESTORATION INITIATIVE	-	-	-	-
21301	AUDIT AND CONTROL OIL SPILL	17,340.72	-	-	-
21302	HEALTH DEPT OIL SPILL	3,555.33	-	-	11,957.03
21303	DEPT OF ENVIRONMENTAL CONSERVATION OIL SPILL	451,031.84	-	-	2,318.43
21304	OIL SPILL COMPENSATION	-	-	-	270,435.85
21205	LICENSE FEE SURCHARGES	-	-	-	-
21401	PUBLIC TRANSPORTATION SYSTEMS	-	-	-	-
21402	METROPOLITAN MASS TRANSPORTATION	33,983,508.33	31,987,548.53	32,206,812.95	99,446,088.44
21451	OPERATING PERMIT PROGRAM	221,275.54	-	-	730,728.55
21452	MOBILE SOURCE	-	-	-	-
21902	HEALTH-SPARC'S	-	-	-	-
21905	THRUWAY AUTHORITY ACCT	11,541,462.39	6,628,040.93	4,385,613.50	2,912,861.50
21907	MENTAL HYGIENE PROGRAM	-	-	-	-
21909	FINANCIAL CONTROL BOARD	609,859.59	227,316.04	-	-
21911	RACING REGULATION ACCOUNT	1,992,255.27	2,327,842.19	392,548.02	186,991.38
21912	SU DORM INCOME REIMBURSE	5,713,145.53	841,883.38	2,676,642.20	579,539.40
21945	CRIMINAL JUSTICE IMPROVEMENT	-	-	176,978.44	3,294,263.41
21959	ENV LAB REF FEE	-	-	-	119,644.65
21961	TRAINING, MANAGEMENT AND EVALUATION ACCOUNT	685,911.18	587,324.51	-	-
21962	CLINICAL LAB FEE	14,018,024.78	12,262,552.03	628,138.35	657,880.69
21978	INDIRECT COST RECOVERY	-	-	11,089,563.46	11,546,187.44
21979	HIGH SCHOOL EQUIVALENCY PROGRAM	-	-	-	-
21989	MULTI - AGENCY TRAINING ACCOUNT	-	-	-	-
22003	BELL JAR COLLECTION ACCOUNT	-	-	-	-
22004	INDUSTRY AND UTILITY SERVICE	-	-	-	-
22006	REAL PROPERTY DISPOSITION	-	-	-	-
22007	PARKING ACCOUNT	-	-	-	-
22008	COURTS SPECIAL GRANTS	-	-	-	-
22009	ASBESTOS SAFETY TRAINING	47,455.78	38,751.38	22,724.52	24,304.44
22017	CAMP SMITH BILLETING ACCOUNT	-	-	-	-
22032	BATAVIA SCHOOL FOR THE BLIND	7,895,881.47	8,568,731.83	9,514,632.17	10,602,800.05
22034	INVESTMENT SERVICES	-	-	-	-
22036	SURPLUS PROPERTY ACCOUNT	-	-	-	-



APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	September 30, 2020	October 31, 2020	November 30, 2020	Change	December 31, 2020
22039	FINANCIAL OVERSIGHT	928,284.63	259,686.11	517,309.49	310,308.53	827,618.02
22046	REGULATION INDIAN GAMING	93,807,568.71	94,761,447.78	95,821,480.92	171,984.64	95,993,465.56
22054	ROME SCHOOL FOR THE DEAF	3,307,030.74	3,717,957.37	4,429,589.30	1,556,947.72	5,586,537.02
22054	DSP-SEIZED ASSETS	951,946.85	902,838.61	859,008.57	(50,255.25)	808,753.32
22055	ADMINISTRATIVE ADJUDICATION	27,496,671.52	31,016,774.82	34,239,897.67	3,656,989.13	37,896,896.77
22056	FEDERAL SALARY SHARING	1,004,479.83	1,120,954.74	1,343,372.58	141,248.85	1,484,621.43
22062	NYC ASSESSMENT ACCT	-	-	-	-	-
22063	CULTURAL EDUCATION ACCOUNT	5,954,486.22	5,490,643.04	5,432,522.42	(646,052.39)	4,786,470.03
22078	LOCAL SERVICE ACCOUNT	-	-	-	-	-
22085	DHCR MORTGAGE SERVICES	16,644,492.31	1,581,265.97	1,722,966.43	206,397.56	1,929,393.99
22089	HOUSING INDIRECT COST RECOVERY	-	-	-	-	-
22100	DHCR HOUSING CREDIT AGENCY APPLY FEE	9,759,624.08	10,474,355.28	11,155,914.06	682,894.04	11,818,808.10
22130	LOW INCOME HOUSING CREDIT MONITORING	-	-	-	-	-
22135	EFC-CORPORATION ADMINISTRATION	-	-	-	-	-
22144	MONTROSE VETERAN'S HOME	124,151.33	176,103.57	56,057.78	63,034.43	119,092.21
22151	DEFERRED COMPENSATION ADMIN	591,253.80	4,253,279.07	7,970,306.51	4,445,376.26	12,415,682.77
22156	RENT REVENUE OTHER - NYC	-	-	-	-	-
22158	RENT REVENUE	-	-	-	-	-
22168	TAX REVENUE ARREARAGE ACCOUNT	-	-	-	-	-
22240	NY'S MEDICAL INDEMNITY FUND ACCOUNT	1,185,090.73	1,269,835.22	1,371,046.36	131,240.24	1,502,286.60
22854	S.U. NON-RESIDENT REV. OFFSET	20,664,809.17	20,667,047.29	20,669,171.39	2,150.57	20,671,321.96
22751	LAKE GEORGE PARK TRUST FUND	-	-	-	-	-
22802	STATE POLICE MV ENFORCE	-	-	-	-	-
23001	DOT - HIGHWAY SAFETY PRGM	15,895,636.27	16,041,242.69	16,319,265.62	374,006.25	16,693,271.87
23102	DOH DRINKING WATER PROGRAM	5,350,949.70	5,350,949.70	5,350,949.70	-	5,350,949.70
23151	NYCCC OPERATING OFFSET	43,872,916.00	48,094,230.01	48,390,844.22	2,340,141.09	50,730,785.31
23701	COMMERCIAL GAMING REVENUE	-	-	-	-	-
23702	COMMERCIAL GAMING REGULATION	20,189,828.45	20,509,123.97	20,807,346.97	373,894.89	21,181,241.86
23801	HIGHWAY USE TAX ADMIN	-	-	-	-	-
23806	NY'S SECURE CHOICE ADMIN	-	-	-	-	-
24951	FANTASY SPORTS ADMINISTRATION	50,169.33	60,094.79	4,356.79	33,152.95	37,509.74
	<b>TOTAL STATE SPECIAL REVENUE FUNDS</b>	<b>2,151,227,806.41</b>	<b>1,991,885,822.09</b>	<b>1,975,108,620.28</b>	<b>(22,942,202.65)</b>	<b>1,952,166,417.63</b>
25000-25099	<b>FEDERAL FUNDS</b>					
25100-25199	FEDERAL USDA/FOOD AND NUTRITION SERVICES FUND	4,451,739.48	4,118,961.38	35,147,356.38	(21,009,092.80)	14,138,263.58
25200-25249	FEDERAL HEALTH AND HUMAN SERVICES FUND	2,748,340,824.81	231,401,978.90	380,493,084.52	(136,333,967.49)	244,159,117.03
25250-25299	FEDERAL EDUCATION GRANTS FUND	18,968,485.01	35,344,407.68	43,743,707.94	(29,070,528.36)	14,673,179.58
25300-25399	FEDERAL DHHS BLOCK GRANTS	-	-	-	-	-
25400-25499	FEDERAL OPERATING GRANTS FUND	483,311,461.02	552,029,917.32	473,639,410.90	2,953,161.22	476,592,572.12
31351	MILITARY AND NAVAL AFFAIRS	8,753,932.66	8,753,932.66	8,753,932.66	-	8,753,932.66
31354	DEPARTMENT OF TRANSPORTATION	441,892,716.97	432,424,080.01	369,051,296.52	(26,275,928.34)	342,775,368.18
31350-31449	FEDERAL CAPITAL PROJECTS FUND (ALL OTHER)	132,492,087.37	127,980,063.01	110,758,696.75	(1,887,688.40)	112,446,385.15
25900-25949	UNEMPLOYMENT INSURANCE ADMINISTRATION	59,955,005.26	76,343,537.87	95,365,817.35	69,223,156.48	164,587,973.83
25950	FEDERAL UNEMPLOYMENT INS OCCUPATIONAL TRAINING	517,588.00	377,092.00	389,268.50	63,602.50	482,839.00
26001-26049	DOJ EMPLOYMENT AND TRAINING GRANTS	925,035.18	6,263,786.45	1,052,527.92	3,056,851.71	4,109,419.63
	<b>TOTAL FEDERAL FUNDS</b>	<b>3,899,609,895.76</b>	<b>1,475,067,820.08</b>	<b>1,518,395,067.44</b>	<b>(133,976,076.68)</b>	<b>1,382,719,050.76</b>
60201	<b>AGENCY FUNDS</b>					
60201	EMPLOYEES HEALTH INSURANCE ACCT	-	-	-	-	-
60901	MMIS - STATE AND FEDERAL	-	-	-	-	-
	<b>TOTAL AGENCY FUNDS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
50318	<b>ENTERPRISE FUND</b>					
50327	OGS CONVENTION CENTER ACCOUNT	713,220.32	754,811.15	796,325.29	62,235.82	858,561.11
	EMPIRE PLAZA GIFT SHOP	254,229.78	256,470.11	271,994.00	5,845.74	277,839.74
	<b>TOTAL ENTERPRISE FUND</b>	<b>967,450.10</b>	<b>1,011,281.26</b>	<b>1,068,319.29</b>	<b>68,081.56</b>	<b>1,136,400.85</b>
55001	<b>INTERNAL SERVICE FUNDS</b>					
55002	CENTRALIZED SERVICES-FLEET MGMT	-	-	-	-	-
55003	CENTRALIZED SERVICES-DATA PROCESSING	-	-	-	-	-
55004	CENTRALIZED SERVICES-PRINTING	1,394,497.72	1,310,719.52	1,345,908.54	76,999.69	1,422,908.23
55005	CENTRALIZED SERVICES-REAL PROPERTY-LABOR	-	-	-	-	-
55006	CENTRALIZED SERVICES-DONATED FOODS	-	-	-	-	-
55007	CENTRALIZED SERVICES-PERSONAL PROPERTY	2,368,688.72	2,426,477.80	2,456,121.37	14,991.22	14,991.22
55008	CENTRALIZED SERVICES-CONSTRUCTION SERVICES	16,165,549.76	15,954,413.12	18,472,982.82	(3,345.85)	2,452,775.52
55009	CENTRALIZED SERVICES-PASNY	-	-	-	2,330,556.94	20,803,539.76
55010	CENTRALIZED SERVICES-ADMIN SUPPORT	15,655,355.27	16,680,902.08	18,577,496.64	(469,545.98)	18,107,950.66
55011	CENTRALIZED SERVICES-DESIGN AND CONSTR	7,450,496.64	6,350,431.78	1,164,558.81	1,164,558.81	1,164,558.81
55012	CENTRALIZED SERVICES-SECURITY CARD ACCESS	180,435.30	168,839.30	163,954.30	(5,122.00)	158,832.30
55013	CENTRALIZED SERVICES-COPS	-	-	-	-	-
55014	CENTRALIZED SERVICES-FOOD SERVICES	-	-	-	-	-
55015	CENTRALIZED SERVICES-HOMER FOLKS	-	-	-	-	-

## APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	September 30, 2020	October 31, 2020	November 30, 2020	Change	December 31, 2020
55016	CENTRALIZED SERVICES-IMMICS	1,588,350.50	1,511,168.30	1,447,566.51	393,016.58	1,840,583.09
55017	DOWNSTATE WAREHOUSE	502,274.59	483,425.53	356,668.03	(206,769.76)	149,898.27
55018	BUILDING ADMINISTRATION	-	-	-	-	-
55019	LEASE SPACE INITIATIVE	-	-	-	-	-
55020	OGS ENTERPRISE CONTRACTING ACCT	81,282,398.64	82,067,941.28	87,825,851.34	369,396.86	88,195,248.20
55021	NYS MEDIA CENTER	9,953,930.37	10,348,439.37	10,652,731.63	502,566.01	11,155,297.64
55022	BUSINESS SERVICES CENTER	18,026,847.72	20,014,612.54	22,199,281.87	2,039,158.80	24,238,440.67
55052	ARCHIVES RECORD MGMT I.S.	-	-	37,676.44	(37,676.44)	-
55053	FEDERAL SINGLE AUDIT	-	-	-	-	-
55056	CIVIL SERVICE EHS OCCUP HEALTH PROG	-	-	-	-	-
55057	BANKING SERVICES ACCOUNT	475,146.08	133,693.35	108,593.51	(77,791.22)	30,802.29
55058	CULTURAL RESOURCE SURVEY	2,433,275.59	2,612,513.96	2,932,271.19	(206,623.82)	2,725,647.37
55059	NEIGHBOR WORK PROJECT	11,338,641.98	11,074,396.76	11,602,383.89	(16,880.91)	11,585,502.98
55060	AUTOMATIC/PRINT CHARGBACKS	4,903,094.05	4,535,498.04	4,453,300.14	(1,718,990.27)	2,734,309.87
55061	OFT NYT ACCT	1,246,980.34	1,246,980.34	-	-	-
55062	DATA CENTER ACCOUNT	49,321,855.09	48,830,817.34	48,830,817.34	3,993,587.28	52,824,404.62
55066	CYBER SECURITY INTRUSION ACCT	1,261,584.27	1,261,584.27	1,261,584.27	-	1,261,584.27
55067	DOMESTIC VIOLENCE GRANT	182,141.33	207,012.97	200,856.41	24,691.88	225,548.29
55069	CENTRALIZED TECHNOLOGY SERVICES	66,381,761.96	89,155,482.60	99,463,734.84	4,336,913.69	103,800,648.53
55071	LABOR CONTACT CENTER ACCT	5,190,551.33	5,701,252.80	6,466,266.70	(2,262,775.63)	4,203,491.07
55072	HUMAN SERVICES CONTACT CNTR ACCT	4,195,382.43	2,651,094.45	3,393,732.41	(222,862.92)	3,170,869.49
55073	TAX CONTACT CENTER ACCT	-	-	-	-	-
55074	CIVIL RECOVERIES ACCT	1,500,691.21	1,937,226.53	2,838,791.78	1,197,052.29	4,035,844.07
55251	EXECUTIVE DIRECTION INTERNAL AUDIT	10,301,952.13	10,531,322.97	10,766,740.89	271,260.27	11,038,001.16
55252	CIO INFORMATION TECHNOLOGY CENTRALIZED SERVICES	46,913,337.30	50,042,467.44	52,214,425.66	(7,553,158.51)	44,661,267.15
55300	HEALTH INSURANCE INTERNAL SERVICE	5,653,025.69	-	-	2,988,283.21	2,988,283.21
55301	CIVIL SERVICE EMPLOYEE BENEFITS DIV ADM	4,723,682.87	4,818,733.51	4,916,106.36	87,401.45	5,003,507.81
55350	CORR INDUSTRIES INTERNAL SERVICE	44,083,398.15	46,624,140.17	48,225,119.94	2,552,271.60	50,777,391.54
	<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b>414,675,327.03</b>	<b>438,661,588.12</b>	<b>461,210,964.82</b>	<b>9,561,163.27</b>	<b>470,772,128.09</b>
	<b>GRAND TOTAL - TEMPORARY LOANS OUTSTANDING</b>	<b>\$ 8,136,743,515.35</b>	<b>\$ 5,452,596,749.66</b>	<b>\$ 5,616,633,438.64</b>	<b>\$ (278,547,165.71)</b>	<b>\$ 5,338,086,272.93</b>

(\*) Temporary Loans are authorized pursuant to Subdivision 5 of Section 4 of the State Finance Law and Chapter 56, Part JJ, Section 1, of the Laws of 2020-21.

The loans represent authorizations made by the Legislature to allow certain funds/accounts to make appropriated payments regardless of the fund (cash) balance.

Such loans are made from the State's Short-Term Investment Pool (STIP) and are intended to satisfy temporary cash shortfalls whenever scheduled disbursements exceed available revenues during the fiscal year. Generally, temporary loans are repaid from the first cash receipts of the fund or account; however, in some cases actual revenues are not sufficient to repay all loans made to the fund or account and a transfer from the General Fund "Repayment of Receivables" appropriation is approved by the Budget Director.

The balances reported here in Appendix F are the actual fund balances as of the close of business on the last day of the reporting month and do not include post-closing adjustments.

Please refer to Schedule 1 for a detailed analysis of the "reported" cash balances of the fund group.

(\*\*) Temporary loans to federal funds are typically reimbursed within 2-3 days. Such loans are made pursuant to federal regulations which require the State to disburse funds prior to making a reimbursement claim from the U.S. Treasury.

(\*\*\*) Per Section 72 of the State Finance Law, the General Fund includes the Local Assistance Fund (10000) and State Purpose Fund (10050).

STATE OF NEW YORK DEDICATED INFRASTRUCTURE INVESTMENT FUND(1) STATEMENT OF RECEIPTS AND DISBURSEMENTS FISCAL YEAR 2020-2021														APPENDIX C
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	9 Months Ended December 31, 2020	
OPENING CASH BALANCE	\$ 86,513,214	\$ 49,126,483	\$ 42,662,065	\$ 7,636,110	\$ 165,822,096	\$ 101,117,004	\$ 90,519,037	\$ 33,132,009	\$ 34,311,372	-	-	-	\$ 86,513,214	
RECEIPTS:														
Transfers from General Fund (1)	-	-	-	204,000,000	-	-	-	40,000,000	68,967,000	-	-	-	312,967,000	
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Receipts	-	-	-	204,000,000	-	-	-	40,000,000	68,967,000	-	-	-	312,967,000	
DISBURSEMENTS:														
Affordable and Homeless Housing	-	-	9,481	533,024	-	415,671	516,927	83,421	-	-	-	-	1,568,524	
Brandtson Initiative	1,735,855	1,420,080	-	6,896,621	-	47,334	7,566,310	707,298	6,896,536	-	-	-	24,393,033	
Downtown Revitalization	-	-	-	-	-	250,000	456,488	415,618	239,112	-	-	-	1,360,118	
Empire State Poverty Reduction Initiatives	2,457,343	88,175	-	1,071,138	565,275	2,517,997	1,963,105	329,081	444,689	-	-	-	9,438,811	
Health Care / Hospital Initiatives	-	3,634,367	1,781,021	298,010	2,275,903	643,795	468,438	105,191	736,003	-	-	-	12,529,366	
Infrastructure for Behavioral Sciences	-	-	-	-	-	-	-	-	-	-	-	-	-	
Infrastructure Improvements	-	-	5,540,794	1,292,017	2,270,353	144,374	4,447,962	782,375	6,318,850	-	-	-	20,807,725	
Jacob Javits Center Expansion	-	-	-	-	55,700,000	-	22,820,551	28,188,264	-	-	-	-	106,518,815	
Life Sciences Initiative	2,500,000	1,500,000	-	-	-	-	5,811,363	-	-	-	-	-	9,811,363	
Municipal Restructuring / Consolidation Competition	3,054,840	(2,778,292)	-	562,372	-	890,000	2,063,090	1,237,265	503,423	-	-	-	5,472,729	
Penn Station Access	-	-	-	-	-	-	-	-	-	-	-	-	-	
Resiliency, Mitigation, Security and Emergency Response	-	-	-	-	(6,036)	-	(10,425)	-	-	-	-	-	(16,469)	
Southern Tier / Hudson Valley Farm Initiative	-	-	-	30,000	55,274	(14,282)	20,642	24,656	(4,552)	-	-	-	111,738	
Thruway Stabilization Program	-	-	22,587,449	24,065,020	2,944,322	4,284,912	5,814,301	4,825,918	11,485,752	-	-	-	53,871,703	
Transformative Economic Development Projects	10,440,876	79,325	4,746,161	282,274	-	1,478,166	-	-	-	-	-	-	38,952,772	
Transportation Capital Plan	-	-	-	-	900,000	-	-	-	-	-	-	-	-	
Upstate Revitalization Program	14,611,179	2,520,763	361,049	10,700,538	-	-	5,619,275	2,301,620	12,620,168	-	-	-	48,634,593	
Total Disbursements	37,386,731	6,464,418	35,025,955	45,814,014	64,705,092	10,597,967	57,387,028	38,820,637	38,240,989	-	-	-	334,442,831	
OPERATING TRANSFERS:														
Transfers to General Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	
Transfers to Operating Transfers	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Disbursements and Transfers	37,386,731	6,464,418	35,025,955	45,814,014	64,705,092	10,597,967	57,387,028	38,820,637	38,240,989	-	-	-	334,442,831	
CLOSING CASH BALANCE	\$ 49,126,483	\$ 42,662,065	\$ 7,636,110	\$ 165,822,096	\$ 101,117,004	\$ 90,519,037	\$ 33,132,009	\$ 34,311,372	\$ 65,037,383	\$ -	\$ -	\$ -	\$ 65,037,383	

(\*) Fund created pursuant to Chapter 60, Laws of 2015-16, Part H and SFL § 93-b

(\*\*) Pursuant to Section 93(b) of the State Finance Law

## STATE OF NEW YORK

MEDICAL ASSISTANCE DISBURSEMENTS - STATE FUNDS<sup>(\*)</sup>

## FISCAL YEAR 2020-2021

## APPENDIX H

	DECEMBER 2020			9 MONTHS ENDED DECEMBER 31		
	Department of Health	Other State Agencies	December	Department of Health	Other State Agencies	Year to Date
Adult State Share Medicaid	\$ -	\$ 66,691,726.00	\$ 66,691,726.00	\$ -	\$ 168,444,308.00	\$ 168,444,308.00
State Share Medicaid	-	14,552,998.88	14,552,998.88	71,548,963.00	23,878,763.37	95,427,726.37
Medical Assistance (OPWDD)	-	374,491,462.00	374,491,462.00	-	545,785,982.00	545,785,982.00
Medical Assistance Administration	1,405,946.79	-	1,405,946.79	38,624,174.75	145,062,864.00	183,687,038.75
Population Health Improvement	-	-	-	2,134,333.54	-	2,134,333.54
Traumatic Brain Injury Services	1,856,130.98	-	1,856,130.98	8,395,865.60	-	8,395,865.60
Nursing Home Transition & Diversion	-	-	-	-	-	-
Reducing Maternal Mortality	-	-	-	657,322.04	-	657,322.04
New York Connects	-	491,743.15	491,743.15	-	8,780,591.26	8,780,591.26
Facilitated Enrollment	503,322.42	-	503,322.42	2,383,838.23	-	2,383,838.23
Emergency Medical Transportation	-	-	-	750,000.00	-	750,000.00
Managed Long-Term Care Ombudsman	1,041,420.70	-	1,041,420.70	3,892,487.95	-	3,892,487.95
Major Academic Pool	-	-	-	-	-	-
Women's Health & Multiple Births	-	-	-	-	-	-
Vital Access Program (OASAS)	-	-	-	-	-	-
Vital Access Program (OMH)	-	-	-	-	-	-
Vital Access Provider Services	-	-	-	-	-	-
General Hospitals Safety-Net Providers	-	-	-	-	-	-
Rural Transportation	-	-	-	35,239,490.00	-	35,239,490.00
AIDS Epidemic	917,547.02	-	917,547.02	-	-	-
Fluoridation Systems	-	-	-	7,059,654.95	-	7,059,654.95
Expanding Caregiver Support Services	-	-	-	750,709.02	-	750,709.02
Provide Affordable Housing	1,764,721.62	-	1,764,721.62	18,942,891.64	-	18,942,891.64
Health Homes Establishment	2,082,499.51	-	2,082,499.51	18,136,377.73	7,323,594.38	25,458,972.11
Community Provider Network	-	-	-	376,446.03	-	376,446.03
Inpatient Services	7,255,830.00	-	7,255,830.00	16,387,813.95	-	16,387,813.95
Patient Centered Medical Homes	82,177,105.08	-	82,177,105.08	284,275,231.38	-	284,275,231.38
Outpatient & Emergency Room Services	-	-	-	46,974,452.85	-	46,974,452.85
Clinic Services	15,514,523.66	-	15,514,523.66	152,050,578.70	-	152,050,578.70
Nursing Home Services	24,159,174.88	-	24,159,174.88	133,217,542.65	-	133,217,542.65
Other Long Term Care Services	121,700,785.11	-	121,700,785.11	732,287,802.99	-	732,287,802.99
Managed Care Services	180,094,487.40	-	180,094,487.40	4,864,717,810.82	-	4,864,717,810.82
Pharmacy Services	762,169,877.95	-	762,169,877.95	4,064,380,199.64	-	4,064,380,199.64
Transportation Services	18,861,996.39	-	18,861,996.39	118,158,118.49	-	118,158,118.49
Dental Services	12,242,685.47	-	12,242,685.47	81,067,026.44	-	81,067,026.44
Non-Institutional & Other	444,886.85	-	444,886.85	2,344,432.01	-	2,344,432.01
Medical Services State Facilities	(59,089,435.30)	389,383.00	(58,700,052.30)	441,986,678.12	11,608,844.00	453,595,522.12
CSEA Family Health Plus Buy In	126,008,167.63	-	126,008,167.63	1,023,835,649.49	-	1,023,835,649.49
DC37 & Teanister Local 858	274,233.35	-	274,233.35	1,437,931.96	-	1,437,931.96
Medical Assistance (HCRA)	-	-	-	-	-	-
Provider Assessments	350,000,000.00	-	350,000,000.00	3,015,000,000.00	-	3,015,000,000.00
NYC Personal Care Workforce Recruitment and Retention Rates (HCRA)	66,440,160.10	-	66,440,160.10	583,139,262.63	-	583,139,262.63
Personal Care Workforce Recruitment and Retention Rates (HCRA)	73,845,000.00	-	73,845,000.00	577,007,000.00	-	577,007,000.00
Home Health Rate Increase (HCRA)	-	-	-	-	-	-
Additional DSH Payments SUNY	-	-	-	-	-	-
TOTAL <sup>(*)</sup>	1,791,671,067.61	456,617,313.03	2,248,288,380.64	16,516,189,037.80	910,884,947.01	17,427,073,984.81
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers.						
	(125,677,532.49)	-	(125,677,532.49)	(1,335,424,613.41)	-	(1,335,424,613.41)
<b>TOTAL REPORTED MEDICAID</b>	<b>\$ 1,665,993,535.12</b>	<b>\$ 456,617,313.03</b>	<b>\$ 2,122,610,848.15</b>	<b>\$ 15,180,764,424.39</b>	<b>\$ 910,884,947.01</b>	<b>\$ 16,091,648,371.40</b>

<sup>(\*)</sup> General Fund and State Special Revenue Funds only.  
 These amounts do not include Medical Assistance spending for State Operations.  
 These amounts are not comparable to Medicaid Global Cap spending.  
 Department of Health regularly reclassifies spending between programs,  
 and therefore amounts for any individual program may be restated by DOH.  
<sup>(\*\*)</sup>Source: Statewide Financial System



## APPENDIX I

STATE OF NEW YORK  
MEDICAL ASSISTANCE DISBURSEMENTS - FEDERAL FUNDS<sup>(\*)</sup>  
FISCAL YEAR 2020-2021

	DECEMBER 2020			9 MONTHS ENDED DECEMBER 31		
	Department of Health	Other State Agencies	December	Department of Health	Other State Agencies	Year to Date
Medical Assistance & Survey Certification Program	\$ 6,563,725.91	\$ -	\$ 6,563,725.91	\$ 93,015,801.21	\$ -	\$ 93,015,801.21
Medical Assistance Administration	2,882,583.62	-	2,882,583.62	78,590,360.12	146,471,607.00	225,061,967.12
Partnership Plan	12,518,125.77	-	12,518,125.77	746,230,284.57	-	746,230,284.57
Inpatient Services	398,335,644.43	-	398,335,644.43	3,232,153,901.58	-	3,232,153,901.58
Outpatient & Emergency Room Services	62,599,998.15	-	62,599,998.15	469,607,126.76	-	469,607,126.76
Clinic Services	65,596,421.20	-	65,596,421.20	482,715,656.68	-	482,715,656.68
Nursing Home Services	149,566,391.33	-	149,566,391.33	1,080,855,084.09	-	1,080,855,084.09
Other Long Term Care Services	1,302,004,586.33	-	1,302,004,586.33	10,838,250,787.10	-	10,838,250,787.10
Managed Care Services	2,187,580,488.58	-	2,187,580,488.58	15,659,440,784.84	-	15,659,440,784.84
Pharmacy Services	38,247,848.92	-	38,247,848.92	311,248,120.41	-	311,248,120.41
Transportation Services	47,954,744.15	-	47,954,744.15	362,852,942.05	-	362,852,942.05
Dental Services	1,123,601.90	-	1,123,601.90	7,945,651.51	-	7,945,651.51
Non-Institutional & Other	(80,819,562.56)	-	(80,819,562.56)	13,709,555.35	(582,102.00)	13,127,453.35
Medical Services State Facilities	515,442,010.22	-	515,442,010.22	1,017,863,485.07	-	1,017,863,485.07
Additional DSH Payments SUNY	-	-	-	221,268,617.80	-	221,268,617.80
<b>TOTAL <sup>(**)</sup></b>	<b>4,709,596,607.95</b>	<b>-</b>	<b>4,709,596,607.95</b>	<b>34,615,748,159.14</b>	<b>145,889,505.00</b>	<b>34,761,637,664.14</b>
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers and adjustments for timing of payments at month end.	(122,989,907.66)	-	(122,989,907.66)	(797,926,802.18)	-	(797,926,802.18)
<b>TOTAL REPORTED MEDICAID<sup>(***)</sup></b>	<b>\$ 4,586,606,700.29</b>	<b>\$ -</b>	<b>\$ 4,586,606,700.29</b>	<b>\$ 33,817,821,356.96</b>	<b>\$ 145,889,505.00</b>	<b>\$ 33,963,710,861.96</b>

<sup>(\*)</sup> Special Revenue Federal Funds only.

These amounts do not include Medical Assistance spending for State Operations.

These amounts are not comparable to Medicaid Global Cap spending.

<sup>(\*\*)</sup> Source: Statewide Financial System

<sup>(\*\*\*)</sup> Reported Medicaid spending does not include the Basic Health Plan.